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ABSTRACT

The Bureau of Indian Affairs (BIA) is profiled from its inception in 1834 to 1980. Beginning with the trust relationship between tribes and the U.S. government, particularly as relates to natural resources, various ways in which reservation economies have developed are discussed. Tribal governments' new authority and renewed ambitions for self-rule are covered as is tribal efforts at determining who is an Indian. The BIA's role in defusing tribal tensions and untangling jurisdictions is described as well as its programs for improving tribal administrative abilities. In terms of improving life for the individual, tribes and the BIA are making efforts to protect life-ways, get children off to a good start, provide education for all ages, encourage tribally run schools, furnish special social services, promote child welfare assistance programs on reservations, offer counseling and guidance for social problems, and recognize that the greatest resource of all is the Indian people. The 12 BIA area offices are featured (Phoenix, Sacramento, Muskogee, Albuquerque, Aberdeen, Navajo, Anadarko, Billings, Portland, Juneau, Minneapolis, and Eastern) with highlights of activities, successes, and problems for each area. Listings of the BIA FY 1980 budget, Commissioners of Indian Affairs from 1824-1980, and lands under BIA jurisdiction as of September 30, 1979, complete the document. (BRR)

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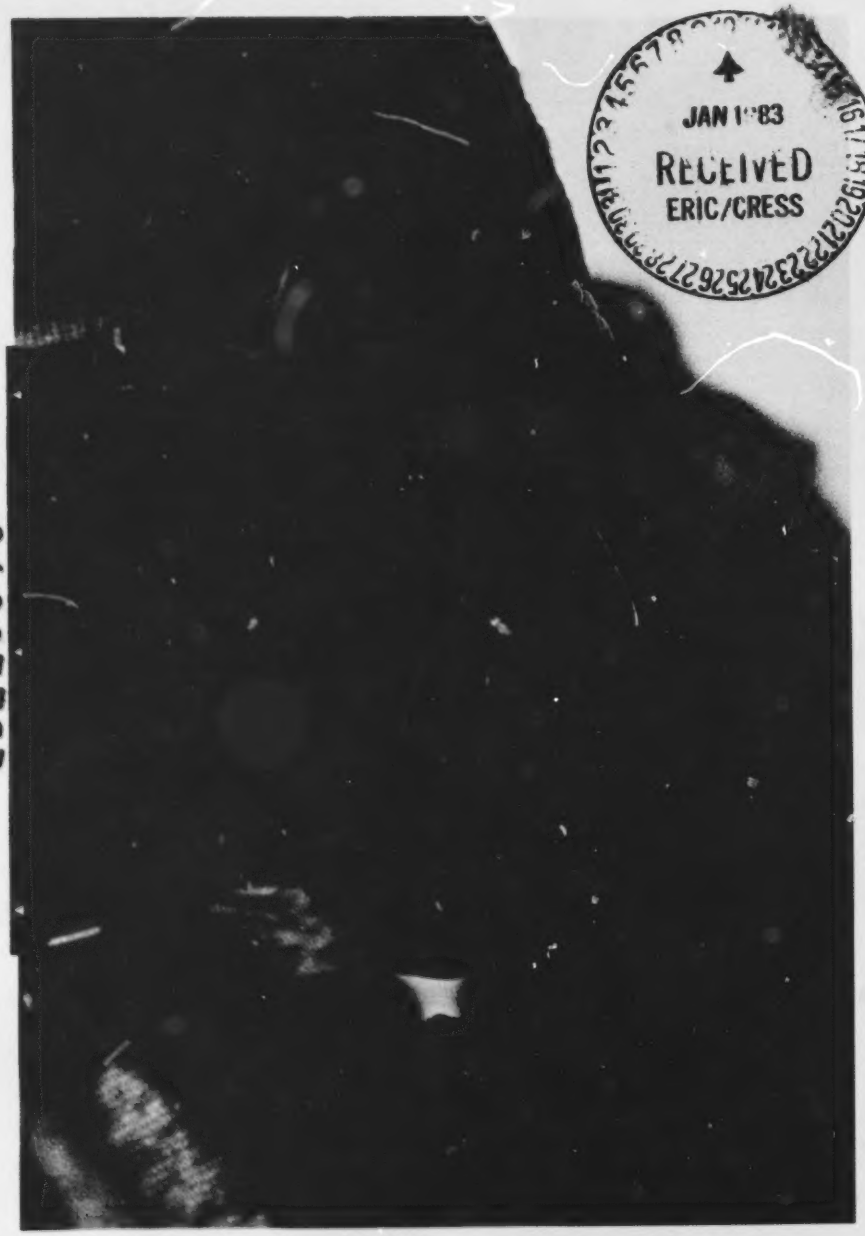

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OOP

The Challenges of the 80s

The years ahead, the decade of the 80s, will bring many crucial challenges and great opportunities to Indian tribes and individuals.

Indian lands contain vast reserves of oil, gas, uranium and coal. Indian people need the income and jobs that resource development can bring. They cannot afford, however, to see their tribal homelands, their air, their water made unlivable by oil spills, toxic wastes or bad mining practices.

Energy development is certain to place new strains on dwindling water supplies and add a new urgency to questions of tribal water rights and water development. Some tribal leaders fear that their reservations may, in a few decades, be transformed into just so many dust bowls and deserts.

In Alaska, the indigenous peoples are vying with developers and conservationists for control of the land they have lived, fished and hunted in for hundreds of years.

On each of these issues, the Department of the Interior stands ready and willing to work with and for American Indians. It has a responsibility, as trustee acting on behalf of the United States, to guard the rights of Indian tribes and to protect and enhance tribal resources. It is the function of the Department to further development of Indian people and their resources so that the U. S. policy of Indian self-determination may be realized.

Under the leadership of Interior Secretary Cecil Andrus, the position of Assistant Secretary for Indian Affairs was created to give American Indians a voice in the policymaking levels of the Department.

What the Indian people can expect from the Department of the Interior is fairness and firmness in the face of challenges to Indian rights. They can expect a strong helping hand and thoughtful advice. They can expect a continued commitment to their survival and to their success as self-governing, self-supporting tribes and self-reliant individuals. This much they should expect for this is what they deserve. This is what the Department of the Interior must do its best to deliver.

James A. Joseph
Under Secretary of the Interior

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A Partnership in the Making

A cursory glance at the pages of history dealing with Indian affairs reveals a tendency to bring together certain periods under self-explanatory terms representing a dominant theme or policy. Thus we have names like forced removal, assimilation, termination, and self-determination used to describe the continuing relationship between the federal government and Indian tribes.

As we progress into the new decade of the 1980s, we should, perhaps, pause and consider what term history will choose to place on today's Indian affairs. To put it another way, we should look down the road a little and determine if the direction we are heading will take us where we want to go.

Certainly, the era of self-determination is still with us. Indian tribes are making considerable progress in the management of their own affairs and the federal government is committed to helping them in this effort. Yet while much has been done, there remains much more to accomplish.

We can hope that the 1980s will see a revitalization of the government-to-government relationship that exists between the U. S. government and Indian tribes. For the past century and a half this relationship has weathered some stormy times and there were days when its very existence was threatened. Still, it somehow managed to persevere. Today, there is reason to rededicate ourselves toward strengthening this government-to-government union and to make it work for the betterment of all Indian tribes.

The federal government has stringent legal and moral obligations to Indian tribal governments. We must work diligently at preserving and carrying out the trust responsibility. We must continue efforts to strengthen the tribal government structure and we must support Indian tribes in their continuous struggle to safeguard the concept of tribal sovereignty.

Indian tribes, too, must do their part. They must take the initiative in working for self-sufficiency and a better life for their people. They must pursue their goals and objectives with renewed vigor.

Indian tribes and the federal government, together, have the opportunity to achieve great things for Indian people. This publication sets the stage for the important days ahead.

As present becomes past, it is hoped that history will record the decade of the 1980s as an era of unequalled progress for Indian people, a bright chapter in which tribal governments reached for solidarity and self-sufficiency and succeeded in the effort.

Thomas W. Fredericks
Deputy Assistant Secretary for Indian Affairs

B.I.A.: In The Beginning—

While the Bureau of Indian Affairs did not receive congressional authorization until 1834—ten years after it had been administratively established by the Secretary of War—the stage was set for its creation in the earliest days of the U.S. government.

One of the first actions taken by the Continential Congress in 1775 was to name a Committee on Indian Affairs. The committee established three departments of Indian affairs and called upon such prominent Americans as Benjamin Franklin and Patrick Henry to asume leadership roles in the operation of these offices.

Henry Knox, Secretary of War, assumed responsibility for Indian affairs with the ordinance of August 7, 1786. The first Congress continued administration of Indian affairs within the War Department, established in 1789, with direction to the Secretary to place armed militia at the disposal of Indian commissioners "for negotiating treaties with the Indians."

Trading houses were maintained from 1786 to 1822 to supply Indians with necessary goods and, in exchange, to offer them a fair price for their furs. This was a matter of importance and concern for the government. As a result, the office of

Superintendent of Trade was created in 1806 to place some controls on the practice of trading with Indians.

Without authorization from Congress, Secretary of War John C. Calhoun on March 11, 1824, created what he called the Bureau of Indian Affairs. The logical choice to head this office was Thomas McKenney, who had been Superintendent of Trade when that post was abolished two years earlier.

The matter of giving its approval to the establishment of an Indian office was vigorously debated in the Congress. But before such a measure was passed, the lawmakers created the position of Commissioner of Indian Affairs.

On July 9, 1832, Congress authorized the President to "appoint by and with the advice and consent of the Senate, a Commissioner of Indian Affairs, who shall, under the direction of the Secretary of War, and agreeable to such regulations as the President may, from time to time, prescribe, have the direction and management of all Indian affairs, and of all matters arising out of Indian relations."

The first presidentially-appointed Commissioner was Elbert Herring. His salary was set at $3,000 per year.

In the first session of the 23rd Congress in 1834, the Committee on Indian Affairs of the House of Respresentatives produced three bills dealing with Indian affairs. These included measures to (1) organize a Department of Indian Affairs, (2) regulate trade with Indians, and (3) provide for the establishment of a western territory in which the Indians should be segregated.

B.I.A. Created

The third measure did not pass, but the other two were enacted into law. On June 30, 1834, the Bureau of Indian Affairs came into being through what has since become known as the organic law of the Indian office.

The organizational structure of Indian affairs during the 1800s primarily included two types of field jurisdictions, superintendents and agents. The superintendents were generally responsible for Indian affairs within a geographical area, usually a territory. Agents, some reporting to superintendents and others directly to the Indian affairs office, were concerned with the affairs of one or more tribes.

The Bureau of Indian Affairs was to remain in the War Department for 15 years after its creation by Congress. An act of March 3, 1849, established the Home Department of the Interior and Indian affairs passed from military to civilian control.

Development of the reservation system gained momentum in the mid-1850s after experimentation with the reservation policy in California. The role of the Bureau changed in the last quarter of the 1800s and specialized activities such as irrigation, forestry, Indian employment, law enforcement, health, and construction became increasingly more important.

Education of young Indians came to the forefront in 1879, when the first off-reservation boarding school was established at Carlisle, Pennsylvania. Chemawa Indian School in Oregon, Haskell Institute in Kansas and Chilocco Indian School in Oklahoma were opened within the next five years. Other schools were to follow.

After World War II, a system of area offices was established and area directors were made responsible for administering all Indian programs within their geographical locations. This three-tier structure continues today, with organizational lines extending from Washington to the area offices to the agencies at the reservation level.

Until 1973, the Bureau of Indian Affairs was placed organizationally under an Interior Assistant Secretary whose principal responsibilities were centered around land and water resources or other Interior programs. Indian affairs was a sideline concern and frequently the Assistant Secretary bordered on conflict of interest, when Indian goals and objectives were opposed by other Interior agencies.

This situation was partially corrected when Morris Thompson became Commissioner in 1973 and was made directly responsible to the Secretary of the Interior.

Finally, in 1977, the post of Assistant Secretary - Indian Affairs was created, thereby assuring the Bureau of a voice in policy matters within the Interior Department. Forrest Gerard, a member of the Blackfeet Indian tribe, became the first to fill this office.

Landmark Legislation of the 1970s

Alaska Native Claims Settlement Act, P.L. 92-203, December 18, 1971.

By far the largest settlement between the United States and an indigenous American community, the Act gave the Alaska Natives $962.5 million and 40 million acres of land in exchange for the extinguishment of all aboriginal titles, and claims based on them, in Alaska.

Indian Education Act of 1972, Title IV, P.L. 92-318, June 23, 1972.

This Act provided for the creation of a Bureau-level Office of Indian Education within the U.S. Office of Education (now Department of Education) as well as a National Advisory Council on Indian Education. It also provides grant funding to state and local educational agencies and to Indian tribes and organizations to improve the quality of public education for Indian students.

Menominee Restoration Act, P.L. 93-197, December 22, 1973.

Definitively revoking the termination policy of the 1950s, this legislation restored the terminated Menominee Indian Tribe of Wisconsin to federally recognized status, making tribal members eligible for federal services and programs.

Indian Finance Act, P.L. 93-262, April 12, 1974.

This Act facilitated the financing of Indian enterprises and developmental projects, both tribal and individual, by consolidating and enlarging a revolving loan fund; creating a new Indian loan guaranty and insurance fund; partially subsidizing interest costs; and providing grants for Indian enterprises.

Indian Self-Determination and Education Assistance Act, P.L. 93-638, January 4, 1975.

This legislation implemented the self-determination policy enunciated by President Johnson in 1968 and by President Nixon in 1970. It expands tribal control over reservation programs by giving the tribes the option of operating these programs for themselves under contract with the government. It also provides for grants to the tribes to increase tribal capabilities for such contracting. Title II of the Act gives Indian parental groups veto authority over the use of federal funds for special public school programs for Indian students. It also authorizes the use of federal funds for the construction of needed public school facilities on or near Indian reservations.

Indian Health Care Improvement Act, P.L. 94-437, September 20, 1976.

This Act authorized future appropriations needed to meet Indian health care needs. Through scholarships and grants, it encouraged Indians to enter the health professions and health professionals to enter the Indian Health Service (IHS). It provided funding to eliminate backlogs in Indian health care services and to construct and renovate Indian Health Service hospitals and other facilities. It made the IHS eligible to receive Medicare and Medicaid payments and authorized funding to make IHS programs and services available to urban Indians.

Education Amendments Act of 1978, Title XI, P.L. 95-561, November 1, 1978.

These amendments made major changes in the administration of Indian education programs, giving substantial control of programs to the local Indian community. They established, in the BIA, a new line authority structure of professional educators not under the Commissioner, area directors or agency superintendents; initiated formula funding for equitable distribution of school operational funds; removed personnel actions (teacher hiring, etc.) from the civil service process, making them more similar to public school processes; and made policy setting and program guidance the responsibility of local school boards, working with local school authorities.

Indian Child Welfare Act, P.L. 95-608, November 8, 1978.

The main objective of this act is to restrict the placement of Indian children by non-Indian social agencies in non-Indian homes and environments. It declares it to be U.S. policy to promote the stability and security of Indian tribes and families by establishing minimum federal standards for any removal of children from the family and for placement, when needed, in homes reflecting the unique values of Indian culture. It makes clear that tribal courts have jurisdiction for children living on reservations. Under certain conditions it provides for the transfer of jurisdiction over children not living on reservations from state courts to tribal courts.

The Four Cornerposts

The 1980s and the balance of this century represent a critical period in the development and advancement of the Indian community.

The concept of Indian self-determination is espoused by both major political parties and by tribal governments. However, the harsh reality is that you can only be self-determining if you have the abilities necessary to manage your resources. In the past decade, Indian tribal governments have gone a long way toward developing and improving their management capabilities. However, much remains to be done.

The concept of economic self-sufficiency also is bipartisan and advocated by tribes. During the past year as Commissioner, I have met with many tribal leaders and groups who voiced a deeply-felt concern about the need for sustained and effective economic development programs. The BIA shares this concern. Indians must not remain at the lowest step of the economic pyramid in this country. Many chronic local problems Indian communities face can be linked to the lack of viable tribal economies.

During the past decade and a half, federal monies have gone to Indian communities in unprecedented amounts. Those dollars bought better education, health care, housing, public employment and roads. In some ways, at least, they resulted in a noticeable improvement in the quality of reservation life.

What those dollars did not buy was substantive economic development. And if this trend continues, tribes may become overwhelmingly dependent upon direct and indirect government subsidies. That would be a tragedy for both the Indian people and the nation.

Without a comprehensive economic development plan as one of our foremost priorities, the goals of self-determination and self-sufficiency will eventually topple back onto the heap of good intentions.

In addition to the cornerposts of improved tribal administration and economic development, we must seek the continued development of Indian individuals and the preservation, protection and enhancement of Indian lands and waters.

The pages that follow profile tribal and BIA efforts to firmly establish these cornerposts. Some tribes laid foundations for reconstruction long ago. Others are only beginning to draw up blueprints. Almost all, at some time or another, turn to the Bureau of Indian Affairs for technical assistance or financial aid. I hope that the cooperative relationship between tribes and the Bureau will continue—and will lead to Indian self-sufficiency in the years ahead.

William A. Hallett
Commissioner of Indian Affairs

BIA forestry technician Gabriel Aripa receives the Department of the Interior's 1980 valor award for rescuing three children from a fire on the Colville Indian Reservation in Nespelem, Washington.

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Protecting the Trust Estate

The Indian trust estate underpins the goal of self-sufficiency in a most fundamental way. Historically, tribes that had lands taken away also faced an uphill struggle to retain cultural identity and economic viability as tribal units. In the 19th century, Indian tribes felt so strongly about their land rights that they went to war with the U. S. Army. In the 20th century, land is the catalyst that cements the trust relationship between tribes and the U. S. By the authority vested in it through numerous treaties, congressional acts, court decisions and executive orders, the U. S. today holds in trust some 53 million acres for the benefit of and use by Indian tribes and individuals.

Virtually ignored for two centuries, Indian land claims are now receiving serious consideration and positive steps are underway to right old wrongs. The Sioux tribes in South Dakota and Indians in Maine have recently won Supreme Court or Congressional recognition of their land claims. While the Maine tribes are to receive both land and money, the Supreme Court awarded $105 million to the Sioux plaintiffs—one of the largest cash settlements ever offered an Indian tribal group. Yet some of the Sioux are not impressed. "The Black Hills are not for sale," said Oglala Sioux Chairman Elijah Whirlwind Horse. "If we accept the settlement, we will have traded the future of our people for a few rusty old cars and a few good drunks."

The Black Hills aptly illustrate a central irony of Indian country. At first thought to be worthless, the region was later discovered to harbor a mother lode of gold. It was a pattern that was to repeat itself again and again with much of the land ceded to Indian tribes. It was land nobody wanted, shunned as barren and forbidding, too hot or too cold, too swampy or too parched, or too far from civilization.

Now, much of the land that Indians own is known to be resource rich. Oil wells on Indian lands pump more than one million barrels of oil each day—about 12 percent of the amount of oil the U. S. imports daily from OPEC nations. Recent decades have also witnessed a mass migration of non-Indians from the snow belt to the sunny southwest and from the big, industrial cities of the east to the smaller, cleaner towns of the Pacific northwest. As a result, Indians are once again finding themselves competing with non-Indians for rights to water, fish and game.

BIA police enforce fishing regulations on the Klamath River in California.

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In particular, Indian water rights have touched off a furor in sections of the country that hold water to be as precious as life itself. Without water, the land withers and dies. Without water, the size of a tribe's holdings does not matter, for the land will only support gila monsters creeping about in the hot, dry dust. Tribes are vigilant in the protection of their water rights and the battle with competing water users will continue.

As the place they call home, tribes have a vested interest in preserving the natural beauty of their land from unsightly development and pollution. At the same time, since the land is their main asset, most tribes need to extract top dollar from it, whether they do that by chopping trees, mining uranium, growing wheat, or raising livestock. It is difficult to develop and preserve the land and do both well. As the trustee for this land, the U. S. government is obligated to help tribes use and manage their natural resources for their good and the good of future generations.

Targeting Energy Development

Energy development is top priority on many reservations. In addition to considerable reserves of oil and gas, Indian lands contain nearly one-third of the strippable, low-sulphur coal west of the Mississippi and about one-half of the country's privately held uranium. Many tribes stand to earn a deal of money from the mining of these resources. But the benefits could be short lived if tribal governments deal unwisely with energy developers.

In the days before coping with the energy crunch became a national obsession, many tribes, with BIA approval, struck deals for their resources which appear ludicrous in light of the 1980 marketplace. As a result, some of them are locked into long-term contracts which fall short of today's prices for their precious resources.

Tribes are fighting back in an effective way. Taking a page from the world's oil producing nations, 25 western tribes owning energy resources banded together to form the Council of Energy Resource Tribes (CERT). Funded in part by the Departments of Interior and Energy, CERT lobbies for better energy legislation and assistance and consults with tribes on energy development. In July 1980, one CERT member, the Jicarilla Apache Tribe of New Mexico, became the first Indian tribe to acquire 100 percent ownership of producing oil and natural gas wells on its land. CERT's executive director Ed Gabriel called the agreement "a giant leap beyond the old negotiated royalty agreements of the past."

Indian Island, Maine, property of the Penobscot Indians.

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Tribes are learning to weigh energy development dollars against real and potential damage to their health and environment. On the Navajo Reservation in Arizona, uranium miners have contracted serious lung diseases and family members have developed symptoms of radiation sickness. The strip mining of coal, the drilling of off-shore oil wells, even the harnessing of rivers for hydroelectric power can harm the environment in which Indians live and work. Unlike other peoples, they are not as free to pick up and move on to a cleaner, safer place. Their heritage is the land and their culture is tied to it. Longtime Navajo Chairman Peter MacDonald put it this way:

> There is no fair market value of Indian resources. For there is no open market, no knowledgeable seller, no absence of duress, and no price we can place upon our children's future. All we have—and all we have ever had—is our sense of community as Navajos and as Americans. We have coal and uranium—but we also have vast stretches of land from which solar energy can be drawn and the winds harnessed. We have water and minerals. But we also have a culture; and we value the air we breathe and the sun we can still see. We ask that you seek alternatives, that together we seek alternatives before we prey on each other.

The BIA supports the search for alternatives. In the development of non-renewable energy, the BIA takes a "conservative trustee posture," always calculating the socioeconomic and environmental effects. In the area of renewable resources, the BIA believes in assuming an active, leadership role. "People don't think of sun and wind as natural resources that need to be managed," said Dean Suagee, an attorney working on the BIA's environmental services staff in Washington. "Yet renewables offer greater potential for self-sufficiency in the long run."

When the Navajo Irrigation Project is completed, it will pipe water from the Navajo Reservoir northeast of Farmington, N.M., to irrigate more than 110,000 arid and semi-arid acres in the northwestern part of the state.

A Gathering Of Expertise

To upgrade the level of expertise the Bureau makes available to tribes—and to strengthen the data base upon which it makes its own trustee-related decisions— the BIA is adding specialists in such fields as hydrology, energy engineering and environmental science. In 1980, it also established a new Division of Energy and Mineral Resources with an office in Denver.

While some tribal leaders have applauded these moves, others in the Indian community are skeptical. "The Bureau is concentrating exclusively on beefing up its own capabilities to give assistance to tribes when it should be concentrating at least as hard to expand tribal capabilities to provide their own services," a former director of CERT's office of policy analysis asserted. "That's where the tribes want to go."

Another aspect of trust responsibility that is increasingly put to the test is the protection of Indian rights in the face of competing claims by non-Indian neighbors and state and local governments. The BIA tries to bring together potentially feuding parties to consider Indian rights issues in a national setting and to seek and explore areas of common interest and goals. Where negotiated settlements are not possible, the BIA provides the historical, technical, scientific and other professional expertise necessary for the government to litigate challenges to Indian rights. In cases where the government has a conflict of interest, the BIA makes funds available to tribes to retain independent counsel.

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The Battle For Water

In his June 1978 water policy message, the President emphasized negotiation rather than litigation to resolve Indian water rights. He further directed the BIA to develop a plan to review Indian water claims as a basis for these negotiations. Historical records are being researched, water supplies and demand quantified, land surveyed and existing water developments evaluated. Eventually, plans will be made to develop untapped water resources. In May 1980 the Department of the Interior began studying the effects of federal water projects on Indian reservations. That action represents an important milestone toward bringing the President's call for the preservation of Indian reservations as "permanent tribal homelands" closer to reality.

Even so, non-Indians and Indians alike are protesting the government's water policy. Philosophical battlelines have been drawn over the quantification of Indian water rights. Some tribal leaders fear that quantification will mean there won't be enough water to sustain their reservations in future years. The issue is especially controversial in the arid southwest where water can mean the difference between survival and extinction. Without water to irrigate their crops and support their population, these reservations could turn to dust and blow away.

In the early days of the western frontier, the "use it or lose it" theory became central to water disputes. The Winters Doctrine, enunciated in the first decade of this century, held that the government gave Indians water rights when reservations were established. For more than half a century, Indian leaders have relied upon that doctrine in their water disputes with state interests and other non-Indians. Federal court decisons have upheld the Indian claim.

The advent of federal water projects like the Central Arizona Project (CAP) and the Central Utah Project casts a new light on the western water situation. These projects have also brought Indian claims onto center stage.

The Central Arizona Project calls for water to be piped across hill and gully from the Colorado River at the western edge of the state to the drier interior. At the outset, CAP was primarily designed to support agricultural interests in central Arizona. But with the burgeoning growth of the metropolitan areas around Phoenix and Tucson, that too has changed.

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The so-called "dry tribes" of central Arizona are at the heart of the water allocation debate. When the Interior Secretary issued tentative allocations for twelve central Arizona reservations, cries of outrage were quickly heard from state and non-Indian interests favoring industrial and municipal users. Ironically, some Indian leaders also were critical of the proposed allocations.

Unlike Phoenix, the city of Tucson has special problems that are also Indian-related. Tucson gets the lion's share of its water from underground wells. Constant pumping of these wells has lowered the water table in the surrounding area, which includes the Papago Reservation. These underground waters take generations to replace. The Papagos announced that they would go to court to halt the practice and to seek compensation for the loss of underground water. Early in 1980, the tribe relented somewhat and agreed to negotiate a solution.

The Central Arizona Project could solve some of these problems. But tribal groups are keeping a cautious eye on the U. S. government as it attempts to protect their interests and make the crucial decisions concerning who gets how much water.

Water is at issue even in the northwest, an area of considerable rainfall. In August 1980, Northwest Indian tribes banded together to declare their opposition to federal water quantification policy. At a meeting sponsored by the Columbia River Intertribal Fish Commission, representatives from 12 reservations in Oregon, Washington, Idaho and Montana initiated efforts to become equal partners with the states and federal government in managing the Columbia River and many of its tributaries. "Quantification of water probably will eclipse the issues over Columbia River fish," predicted the Fish Commission's executive director.

Fish And Forests

In the area of fishing rights, the Indian tribes of the northwest have won important twin victories. In 1974, Federal Judge George Boldt found that the Indians were entitled to half the harvest of salmon and steelhead trout returning to waters in the treaty area. The so-called "Boldt decision" infuriated non-Indian fishing interests. In 1980, another federal judge in the Ninth Circuit Court in San Francisco, Judge William Orrick, Jr., ruled that treaty Indians in western Washington are also entitled to one-half of the fish released from hatcheries. He further found that the state of Washington has an obligation to avoid taking actions that would spoil the environment surrounding Indian fishing waters so fish population levels can be maintained. Orrick's decision was expected to be appealed.

Perhaps the most important renewable resource the tribes have is their timber. Dense stands of good trees abound on 98 reservations and other restricted lands from Alaska to the southwest, throughout the Rocky Mountain region and the Great Lakes States and along the eastern seaboard from Maine to the Gulf of Mexico. Forests cover a total of 13 million acres of Indian land, 5.5 million acres of which are considered commercially usable. During fiscal 1979, nearly 975 million board feet were harvested under contract or paid permit from Indian lands, providing Indian owners $110 million in income. Employment generated by the forest industry produced another $156 million in income.

The BIA's forestry program provides services for the sale of timber, forest improvement projects and the inventory and development of multiple-use management plans for this land. On 59 million acres of forest and range, BIA forestry agents help protect against wildfire, insects, disease and trespass. Funding for the program, including add-on appropriations, is $24 million, with an emergency appropriation of $8 million for fire fighting and forest rehabilitation. Since fiscal 1977, Congress has provided the Bureau with a $5 million add-on to the budget to reduce the forest development backlog. This money helped the Bureau thin 75,000 acres and reforest 20,000 in fiscal 1979.

The BIA has called for the creation of master timber plans for Indian reservations. Indians have a renewable annual timber resource of $150 million, yet only two reservations have master timber plans. Plans are underway to put together a resource group to investigate possibilities for Indian-operated forest-related businesses. The possible use of wood pellets was cited as an alternative energy source, utilizing 20 million board feet of slash that goes to waste annually.

Recognizing the importance of their forests, the major timber-producing tribes formed an intertribal timber council in fiscal 1980. The council provides a forum for discussion among tribes as well as a consolidated source for comment on BIA forestry programs. On many reservations, tribes augment BIA forestry efforts with their own programs and funds. Some tribes, like the White Mountain Apaches and the Navajos in Arizona, operate sophisticated timber and forest product industries that bring dividends and employment to their peoples.

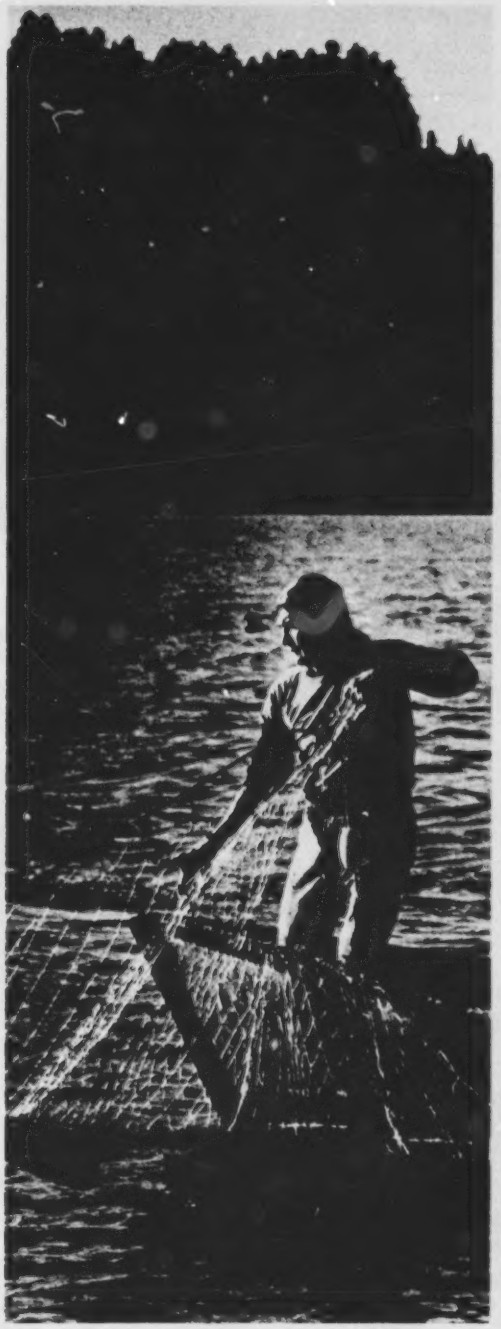
Indian land and its uses will continue to be the central focus of the BIA in the coming decade. More than 9,000 Indian claims charging trespass and other damages prior to 1966 must be processed. Other Indian claims to land in the eastern half of the U. S. must be settled. As populations grow and resources shrink, Indian rights are bound to come under siege.

Developing Reservation Economies

In 1963, the White Mountain Apache Tribe received a $2.2 million loan from the BIA's revolving credit fund to log and mill the stands of Ponderosa pine and Douglas fir on their Arizona reservation. That loan has proved to be a good investment. In 1977, the tribe paid off its debt and today the Fort Apache Timber Company (FATCO) represents $37 million in tribal equity. It employs 328 White Mountain Apaches and last year it turned out 80 million board feet of lumber. During 1980, according to plant manager Hal Butler, FATCO invested $6 million in retained earnings to boost production to 100 million board feet per year by January 1, 1981.

A feasibility study conducted in 1972 found that a pencil factory could be a profitable addition to the Blackfeet Indian Reservation in Montana. Today, the Blackfeet Indian Writing Company supplies thousands of pencils, pens and markers to 300 of *Fortune* magazine's top 500 companies. In fiscal 1981, the company expects sales to reach $5 million. In addition to providing a $100,000 loan from its revolving credit fund and guaranteeing an $800,000 loan from a commercial bank, the Bureau funded an on-the-job training program in which Blackfeet tribal members were taught to run the plant's fifty production machines. The company now employs 66 people, 61 of whom are Blackfeet.

The Devils Lake Sioux Manufacturing Corporation in Fort Totten, North Dakota, is a seven-year-old tribute to Indian and non-Indian cooperation. Through the combined efforts of North Dakota's Senator Milton Young, the Small Business Administration and the BIA—with support from the army—the Brunswick Corporation was invited to establish a camouflage manufacturing plant on an Indian reservation in North Dakota. The resulting joint-venture agreement between the Brunswick Corporation and the Devils Lake Sioux Tribe gave Brunswick 70 percent of the stock and the tribal council the remaining 30 percent. Today, the tribe owns 51 percent of the stock and Indians are the majority of the 353 employee work force. The corporation has expanded its production inventory to include cable harness, electric sub-assemblies and carpeting for the automobile industry. In fiscal 1979, the company reported net sales of more than $18 million and net earnings of $1.01 million. It also doubled stockholder dividends for the second consecutive year.



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The economic development of Indian country is a crucial cornerpost supporting Indian self-determination and self-sufficiency. Yet, the kind and the level of economic ventures varies widely from tribe to tribe. Some rely on valuable natural resources or hefty claims settlements, while others scratch out a hard-scrabble existence. Unfortunately, success stories such as those described above are the exception rather than the rule.

Most reservations lack an economy in the normal sense of the word. Unemployment often hovers at 50 percent and those who do work frequently get their paychecks through a federally-supported program. The lack of Indian-owned retail stores or service outlets means that most reservation income is spent off the reservation or with non-Indian-owned businesses.

Exceptions to the Rule

Most reservations cannot be considered prime locations for new businesses. Start-up capital, skilled laborers and experienced professionals are generally in short supply. Transportation to major metropolitan markets is often haphazard at best. Because development has had negative consequences for many Indian communities, it sometimes carries negative connotations. Hotels built in remote desert regions, manufacturing concerns that closed soon after they opened for business--nearly every reservation has a white elephant monument to poor planning and misspent money. In some places, natural resource development has polluted land and water or depleted the precious underground water reserves.

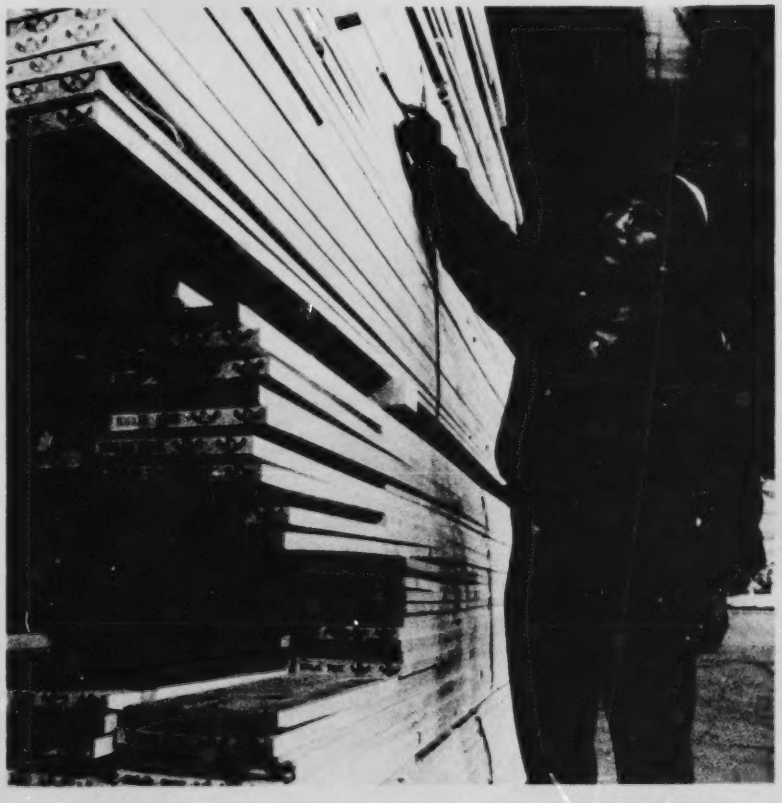
Brainstorming New Approaches

In the past, the Bureau and other governmental agencies have sometimes been as much a part of the problem as the solution. BIA is committed to correcting this course and to helping Indian individuals and tribes become better producers and more satisfied consumers.

In 1980, two brainstorming sessions between BIA and tribal development officials resulted in the idea of an American Indian economic development institute as a forum for the exchange of issue papers. "We need to step back and look at some of the problems of economic development," the Commissioner said. "No one has the complete picture. We need to compare notes and identify issues that have had an adverse impact on development."

Two problems cited as examples are the lack of capital and tribal terms of office. There are a half-dozen approaches that could be taken to overcome either stumbling block. Capital could come from an Indian-owned economic development bank, from debt service financing, even from a consolidation of existing program funds. Tribal terms of office are less in the way of doing business when the tribal council hires a general manager and gives that manager enough authority to run tribal programs on a day-to-day basis.

One solution to Indian economic development problems may be a stronger BIA-tribal commitment to profit-making enterprises. One BIA official believes Indian economic development has become social service oriented, a source of subsidized jobs or job training programs, rather than business ventures. The manager of the Fort Apache Timber Company agrees. "Too many tribal enterprises become overloaded with people and none of them make money," says FATCO manager Butler. "This company works because it is run like a business. Nobody is telling me who can work or can't work. There is no political influence."



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Cloudy Future For Smokeshops

A very profitable kind of reservation enterprise —smokeshops which sold state-tax-free cigarettes—received a major setback in 1980 when the U.S. Supreme Court ruled that in the state of Washington the smokeshops must collect and pay state taxes on cigarettes sold to non-Indians. Some of the Washington tribes reported that the ruling would cost them as much as $200,000 in annual revenues. The ruling is expected to be applied to smokeshop enterprises in other states and possibly to other reservation enterprises.

While many Indians denounced the smokeshop decision as a severe economic setback, others worried about its implications for tribal sovereignty. "While the dollar may be the most cherished commodity to the non-Indian," wrote John Traylor, tribal court administrator on the Fort Hall (Idaho) Reservation, "to the reservation, Indian tribal sovereignty reflected in the ability of self-government carries far more respect."

Profitable Resources

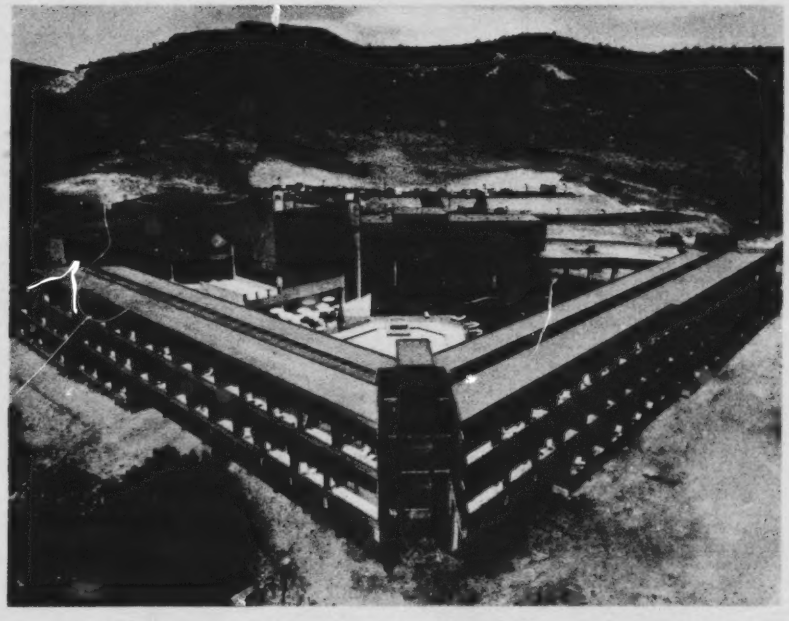
This preoccupation with tribal control over economic ventures is nowhere more intense than in the area of energy development—and with good reason. The Council of Energy Resource Tribes estimates that nearly one-third of the low-sulfur, strippable coal west of the Mississippi and one-half of the country's privately-held uranium lies under Indian lands. Fort Peck Reservation in northeast Montana is the site of one of this century's most significant oil and gas discoveries. And a U. S. news magazine recently predicted that Anadarko, Oklahoma, home to the Wichita, Caddo and Delaware Tribes, will be the hub of U.S. oil discovery in the 1980s.

The Jicarilla Apache Tribe in New Mexico acquired 100 percent ownership of oil and gas wells on its land and two Montana tribes signed major energy development contracts in fiscal 1980. The Crow Tribe agreed to let the Shell Oil Company mine coal from tribal lands in return for advance payments of $12 million, guaranteed annual payments of no less than $3 million and 40 college scholarships for tribal members over the next decade. A 33-year lease by the Atlantic Richfield Corporation (ARCO) will yield the Northern Cheyenne Tribe a $6 million signing bonus plus 25 percent of production. ARCO also will provide $50,000 per year for a tribal office operation.

Ongoing Programs

In addition to new approaches for economic development, the Bureau is looking for ways to fine-tune its ongoing efforts. These include the direct loan and loan guaranty program; the Indian Action Program which helps tribes develop their human, economic and natural resources; the Indian Business Enterprise Development program which works to attract new businesses to Indian reservations; and the roads construction program which makes it easier for new businesses to find their way there.

The Bureau's revolving loan fund provides financing for Indian projects when financing is not otherwise available at reasonable terms and conditions. During fiscal 1980, 36 advances were made totaling close to $12 million. Of these, 23 totaling about $11.4 million went to tribal business enterprises. The program also pinpoints financing available from other commercial and federal sources, consults on tribal relending efforts and advises Indian organizations and individuals on credit and business-related matters.



Kahneetah, a resort hotel owned by the Confederated Tribes of Warm Springs, Oregon.

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Ninety-two tribes participate in BIA's Indian Action Program (IAP). In fiscal 1980, about 95 percent of IAP's appropriation — almost $20 million — went directly to tribes in the form of 157 self-determination contracts. To qualify for a contract, a tribe's IAP objectives must be consistent with its tribal economic development plan and encompass one or more of the following activities: business development, management training, construction, employment, and the conservation/development of natural resources.

Through IAP, the Inter-Tribal Council of Nevada constructed three tribal council office buildings and the Seneca Nation of New York built cultural and recreational facilities to take advantage of tourism. The Pueblo of Laguna, New Mexico, placed 80 percent of their job trainees (about 30 program graduates) with the mining industry on their reservation and the Lac Courte Oreilles Tribe in Wisconsin is training members to operate a computer system the tribe recently pruchased. In North Dakota, the Fort Berthold Tribes used the Indian Action Program to develop ordinances regulating fishing, hunting, zoning, strip mining, etc.

The Indian Action Program is only one of several ways to teach tribal members employable skills. Adult vocational training is also available through private schools, state vocational-technical schools, junior colleges, BIA schools (Haskell Junior College, the Institute of American Indian Arts and Southwestern Indian Polytechnic Institute) and special training courses set up in cooperation with other federal agencies, tribes, unions and private industry. The Bureau emphasizes the implementation of section 7b of Public Law 93-638 to help ensure that Indians are trained for jobs available under Indian preference projects. The BIA also assists contractors in locating and hiring qualified Indians.

The Indian Business Enterprise Development (IBED) program helps tribal governments attract new businesses to Indian reservations. The program encourages major industries to contract with Indian-owned firms and has helped boost tourism revenues by funding the American Indian Travel Commission. In fiscal 1980, IBED helped generate more than $30 million in contracts for Indian-owned firms through meetings with private and government sources. A handbook on economic development will soon be available to all tribal business councils.

One major IBED effort involves the Northern Border Pipeline Company on their portion of a $20 billion pipeline project. The pipeline will run from Canada, through Montana, North Dakota, South Dakota, Iowa and Illionois, much of it passing through Indian country. The company has set aside $200 million for minority contracting and it has promised the BIA that it will contract as much of the work as possible with qualified Indian firms. Five of those contracts have already been let and many more are anticipated.

Smoother roads pave the way for more and better businesses on Indian reservations. In fiscal 1980, more than $66 million was allocated to area offices and agencies using a formula based on population, trust land area and miles of BIA roads. Projects are selected according to priorities set by tribal governments. This year, 150 miles were improved to a smooth earth surface, 50 miles were upgraded to gravel surface, 350 miles were paved and 1,900 feet of bridges were constructed or replaced.

In June, the Supreme Court decision in *Andrus v. Glover* ended the letting of road construction contracts under the Buy Indian Act and required the Bureau to open up competitive bidding to non-Indians. The Bureau still encourages the use of Indian contractors and Indian labor on road construction projects while abiding by competitive bidding procedures.

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Strengthening Tribal Governments

After decades of decline, Indian tribal governments now have new authority and renewed ambitions for self-rule. To realize this goal, they must find and develop the expertise necessary to manage their reservations. "I'm a tribal member," says Ken Smith, general manager of the Confederated Tribes of Warm Springs, Oregon. "It's more than a job to me to see it run properly." Smith is one of a generation of young Indian leaders putting their business acumen to work for their tribes. The job is a tough one. On top of the usual executive, legislative and judicial functions associated with any state or municipality, tribal governments must meet many obligations peculiar to the reservation.

Mindful of its government-to-government relationship with each tribe, the Bureau of Indian Affairs aims to assist tribes in fulfilling those obligations. In Warm Springs, BIA employees work a few doors down from Ken Smith. "We're working for the same cause, the same objectives and we're working side by side," said Smith.

To many tribal members, "administration" is synonymous with "white tape"—BIA regulations and procedures that sometimes seem to bog down rather than speed up good government. But administrative functions—the development of membership and payment rolls, the mediation of tribal feuds, the establishment of legal forums and the enforcement of laws—actually lay the groundwork for more newsworthy accomplishments. The BIA is attempting to streamline and simplify these tasks and make them more effectively address individual needs. The BIA's management improvement project has spurred, among other things, the transfer of BIA personnel and activities from area offices to agency level.

Tribes are themselves gaining their own administrative capabilities with self-determination grants provided by Public Law 93-638, the Indian Self-Determination and Education Assistance Act. In increasing numbers, tribes are taking advantage of help available from BIA's Office of Technical Assistance and Training in Brigham City, Utah. The BIA's newly-created Tribal Managers Corps promises an infusion of expertise into participating tribal governments.

Who is an Indian?

One of the most basic tasks facing any tribe is an accurate accounting of its membership. Membership rolls not only aid tribal planners in program design but also help determine eligibility for government services and benefits from Indian claims judgment awards. The often asked question "who is an Indian?" is answered in varying ways, according to each tribal constitution. For instance, the Ute Mountain Ute Tribe of Colorado requires children born after September 17, 1958, to be a minimum 5/8ths Ute Mountain Ute, while the Cherokee Tribe of Oklahoma requires no minimum blood ancestry whatsoever. An Oklahoma Cherokee is anyone named—or descended from someone named on the 1906 Cherokee membership roll.

In 1980, the Bureau sought to simplify the enrollment process by developing a uniform set of enrollment standards and procedures and by offering a five-day enrollment training program for Bureau staff and tribal governments. Because there is a widespread need for information about individual Indians, BIA is also developing an automated Indian Services Information System. While safeguarding private and personal information, its data base—family tree charts, voting lists, etc.—will show whether a person is a tribal member and has shared in any fund distributions. BIA will use it to better determine eligibility for services as well as to verify degree of Indian blood for employment preference.

The Indian Judgment Fund Act of 1973 made it the BIA's responsibility, in consultation with the affected tribes, to devise plans for the use and distribution of funds awarded Indian tribes by the U. S. Court of Claims. Bureau employees research historical records to determine what group of individuals now living best represents the "tribe" as it existed at the time of the taking of its land. In fiscal 1980, the Bureau completed payment rolls of 24 tribes, determining 2,000 enrollment appeals that led to the distribution of $96,557,305.

An Indian judge is sworn in to begin his duties in Shawnee, Oklahoma.

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Defusing Tribal Tensions

The Bureau consults tribes on tribal constitutions and charters and tries to help solve factional disputes that sometimes bring tribal governments to a standstill. The BIA is not always successful, however, in defusing tribal tensions. In May 1979, on the Red Lake Reservation in Minnesota, a clash between the Chippewa Tribal Council and the tribal treasurer led to the armed takeover of the reservation police station and two days of rioting and vandalism. Two people died and $4 million damage was done to property. More than fifteen months later, the antagonism has only slightly abated.

Less ferocious infighting also erupted in recent months within the St. Regis Mohawk Tribe of New York, the Cheyenne River Sioux Tribe of South Dakota and the Comanche and Creek Tribes of Oklahoma. Though the BIA has no authority to intervene in the internal affairs of a tribe, it can become involved when tribal officials request assistance in interpreting a tribal constitution, assessing competing policies or providing arbitrators. The Bureau may also be involved when the tribal problem spills over and affects the tribal-federal relationship. For example, the Bureau withheld federal funds from the Red Lake Tribe because of questions about who could rightfully function as tribal treasurer.

A months-old impasse between the speaker of the Creek Tribal Council and the principal Creek chief caused the tribe to enter fiscal 1981 without a budget, despite efforts by the BIA Commissioner, a professional mediator and the BIA's Muskogee Area Office to recommend a compromise. The tribe stood to lose $9 million in government funds and as many as 1,200 jobs because it failed to approve funding resolutions. But the Bureau, said a tribal relations specialist, can do no more. "The Creeks have a problem and the Creeks have the ability to solve it. Nobody else does."

Untangling Jurisdictions

Indian reservations are often subject to a tangle of Indian and non-Indian jurisdictions. On a large, mostly contiguous reservation like the Navajo Reservation, law enforcement is a tough enough proposition. But in parts of Oklahoma where small Indian land holdings are checker boarded between non-Indian lands, it is difficult to know who is in charge where. The Tulsa World, an Oklahoma newspaper, recently editoralized that "it makes little sense to try to enforce a different set of laws on widely scattered pieces of real estate . . . There is no good reason to turn back the clock of history and set up a new apartheid system for Indians."

While Indians have the same rights in relation to state and federal governments as all other U. S. citizens, several court decisions have held that the restrictions found in the Bill of Rights and the Fourteenth Amendment do not apply to tribal governments. In 1968, Congress passed the Indian Civil Rights Act, restricting tribal governments in most of the same ways that the federal and state governments are by the Constitution.

Until 1978, federal courts reviewed the actions of tribal police and courts when suit was brought alleging that rights protected by the 1968 law were violated. The Supreme Court ruling in *Santa Clara Pueblo* v. *Martinez* changed all of that. The case concerned a woman who wished to enroll her children in the Santa Clara Pueblo Tribe. Tribal policy stipulates, however, that only the children of marriages where the father is a tribal member can be enrolled. Attorneys for Mrs. Martinez argued that this was a violation of "equal protection" under the Indian Civil Rights Act. Siding with the tribe, the Supreme Court ruled that the principle of self-determination demanded that intra-tribal disputes be settled in tribal courts.

Tribal courts, of which there are more than 100, handle violations of tribal, civil and criminal codes committed by Indians on the reservation. Judges presiding over these courts are appointed by the tribal council or elected by tribal members. They can impose sentences of up to six months in jail and/or a $500 fine.

About 26 reservations have courts established under the authority of the Secretary of the Interior and governed by the provision of Title 25 of the Code of Federal Regulations (CFR). The jurisdiction of these courts is the same as that of the tribal courts but their judges are appointed by the BIA, subject to the approval of the tribal council. During the past two years, the Bureau assisted in the creation of CFR courts to serve the Passamaquoddy Tribe in Maine, the western Oklahoma Indian tribes and the Eastern Cherokee Tribe of North Carolina.

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BIA Area Office Directors: (front row) Sidney Mills (Albuquerque), Jerry Jaeger (Aberdeen), Harry Rainbolt (Eastern), Commissioner William Hallett, Donald Dodge (Navajo), Anson Baker (Billings), Jose "Abe" Zuni (acting, Juneau); (back row) Edwin Demery (Minneapolis), Vince Little (Portland), William Finale (Sacramento), Curtis Geiogamah (acting, Phoenix), Stanley Speaks (Anadarko), Jack Ellison (Muskogee).

In cooperation with the National American Indian Court Judges Association, the Bureau helps train Indian judges. The first training session, covering civil law subjects, drew about 80 judges to Albuquerque in May 1980. The BIA also supports the training of paralegal assistants on Indian reservations in association with the American Indian Lawyers' Training Program. Classes were held in November of 1979 in Pierre, South Dakota, in February 1980 in Eagle Butte, South Dakota, and in March on the Warm Springs Reservation in Oregon. These meetings were attended by more than 125 persons.

Law enforcement on Indian-owned land is also complicated by the lack of good roads and heavy-duty equipment. Police and support personnel numbering close to 2,000 operate a fleet of more than 800 vehicles. Tribal governments — through direct tribal appropriations, law enforcement-related grants and approved programs sponsored by other federal agencies — spent nearly $14 million on tribal law enforcement programs in fiscal 1980. The Bureau added another $27 million.

Improving Administrative Abilities

The Indian self-determination services program helps tribes contract successfully for Bureau programs and services. In fiscal 1980, about 255 tribes entered into more than 1,290 separate contracts to operate Bureau reservation programs. This reflects a healthy increase in participation compared with fiscal 1976, the first year of the program, when around 200 tribes contracted for about 800 programs.

Self-determination grants are used to improve tribal personnel and financial practices so that tribes can operate Bureau programs more efficiently and participate in other federal programs. Other BIA 638 grants go, for example, toward the development of tribal voting procedures and ordinances dealing with the use of land and other resources.

Nestled at the foot of the Wasatch Moutains, the BIA's Office of Technical Assistance and Training (OTAT) in Brigham City, Utah, supports self-determination through tribal and individual capacity building experiences. Any tribal member or government employee working with Indian people is eligible for OTAT courses and counseling. Since its establishment in 1978, more than 1,400 people (84 percent of them Indian) have participated in OTAT programs.

OTAT offers technical assistance in the areas of tribal administrative and accounting services, comprehensive planning, resource referral, feasibility studies research and statistical analysis. In fiscal 1980, OTAT helped the Shoshone Business Council of the Wind River Reservation in Wyoming contract for feasibility studies on the establishment of a bank, and a shopping center at Fort Washakie. It also helped the Kalispel Tribe of Spokane, Washington, prepare a tribal brochure as part of its efforts to obtain land managed by the U.S. Forest Service.

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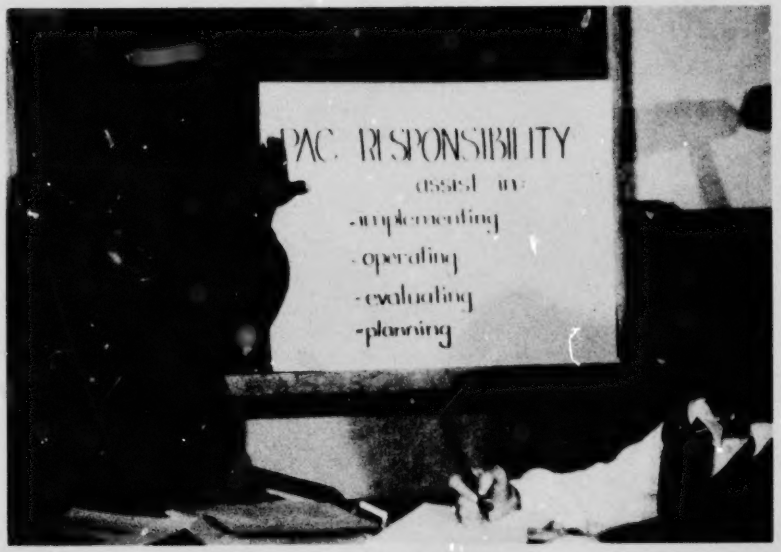
Throughout 1980, OTAT's training division offered three-day, 18-hour courses on tribal government, school board training, grant proposal writing, and self-determination contracting.

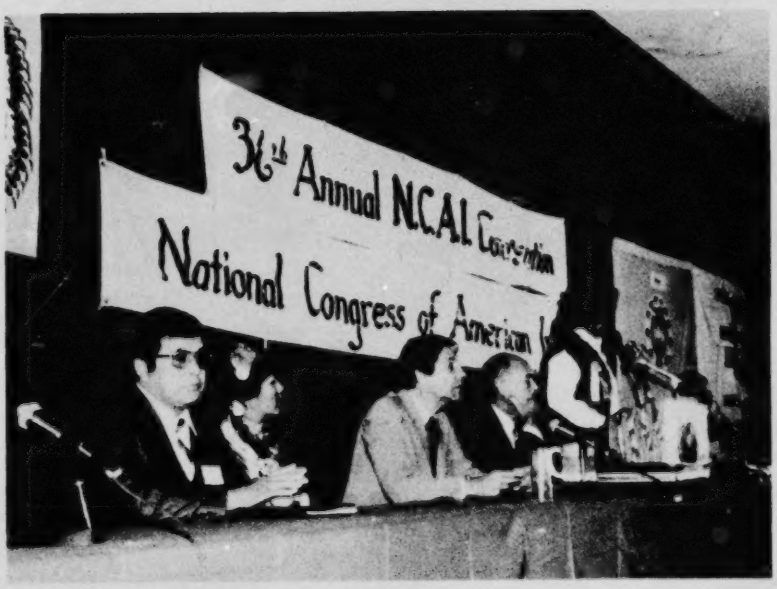
One of the most popular courses in the OTAT curriculum is tribal government, a course designed by former BIA Commissioner Robert Bennett. Bennett's course covers the "fall and rise of tribal sovereignty," the role of tribal council members, principles of constitutional government, parliamentary procedure, democratic process, concepts of election and representation, principles of leadership and the management process. In fiscal 1980, 230 students attended 14 sessions of the tribal government course.

In spring 1980, the BIA launched the Tribal Managers Corps (TMC) and the Tribal Management Development Program to help tribes improve their management abilities. TMC directors recruited a cadre of more than 260 professional managers and administrators willing to accept full-time work assignments with tribes for periods from six months to two years. The corps has a wide range of experience and expertise in such areas as agriculture, law, auditing, personnel, forestry, engineering, housing, accounting and environmental science. By the end of fiscal 1980, TMC administrators began matching these managerial skills with tribal needs, approving applications from the Lower Brule Sioux Tribe of South Dakota and the Red Cliff Chippewa of Wisconsin. (About 48 tribes expressed an interest in the program and about half that many formally applied.)

Richard Gurnoe, Vice-Chairman of the Red Cliff Chippewa Tribe, called the tribe's selection "one of the best things that has happened to us. Right now we have these separate committees on fishing, zoning, personnel and social services—you name it and we have a committee for it." "We are looking ahead to forming a business arm of the tribal government", added tribal official Laurence Guth. We want to make it fairly autonomous so that it would not be interrupted by political changes."

"I can't be tribal chairman and administrator," said Mike Jandreau, Chairman of the Lower Brule since 1975. "We hope to use the tribal manager position to tie the whole structure together. The manager should act as a catalyst to see that the direction of each program compliments other programs. We also need to develop a comprehensive personnel system for selecting and upgrading tribal employees. Whenever we find someone good, the Bureau comes along and snatches them away." That is an often heard complaint. But when the TMC program gets rolling, perhaps there will be more and better tribal managers to go around.





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Improving Life for the Individual

From the standpoint of personal well-being the Indian of America ranks at the bottom of virtually every social statistical indicator. On the average (they have) the highest infant mortality rate, the lowest longevity rate, the lowest level of educational attainment, the lowest per capita income and the poorest housing and transportation in the land . . . American Indian Policy Reveiw Commission

The statistics cited by the American Indian Policy Review Commission in 1977 painted a bleak picture of reservation life. Unfortunately, that picture is still a realistic one. But forward motion by individual Indians is evident, particularly in education. Fifteen years ago, less than 1,700 Indian students were attending college. Today, that figure exceeds 20,000. Tribes are also making progress on other fronts, concentrating on better housing and health care*, child welfare and old-age assistance, family counseling and person-to-person therapy. The intangibles of an improved standard of living—personal dignity, self-confidence, intellectual inquisitiveness, and peace of mind—are not easily measured in dollar amounts or college degrees. Still, these intangibles are the underlying, if often unspoken, goals of most tribal and BIA efforts. Tribes know they cannot be collectively strong as long as they are individually weak.

*Indian health care is primarily the responsibility of the Indian Health Service, within the Department of Health and Human Services.

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Protecting Life-ways

Education has long been considered the key to personal improvement by most peoples. "When education was first introduced to the tribal community, they were opposed to it because of the impact on their life-ways," says former BIA Commissioner Robert Bennett, who teaches a BIA-sponsored course on cultural confrontation. "Now, education is accepted by the tribal community for the same reasons—namely, protection of their life-ways. The institutions of the non-Indian society are being used by Indian tribes to perpetuate tribal existence."

The BIA's Office of Indian Education Programs supports some 209 schools and 15 dormitories serving more than 43,000 Indian students. These schools include 97 federal day schools, 53 reservation boarding schools, 14 off-reservation boarding schools and 45 schools operated by tribes under government contracts. These schools must meet every state and federal academic standard and, at first glance, they look much like any other school. In Indian and non-Indian schools alike, third graders can be heard reciting their multiplication tables and high school freshmen can be seen snoozing behind copies of Silas Marner. But Indian schools must also deal with special Indian interests and special Indian needs. That is why North American history courses in Indian schools do not begin with the Vikings or the voyage of Christopher Columbus. And that is why chalkboards in schools on the Navajo Indian Reservation show Navajo translations of English words—and vice versa.

In its statement of mission, the Office of Indian Education Programs, pledges to serve "the whole person, taking into account the spiritual, mental, physical and cultural aspects of the person within family and Tribal or Alaska Native village contexts." Indian educators have a difficult, dual mission that reflects the often contradictory nature of federal Indian policy. Congress has mandated that Indian school curriculae include special course offerings to bolster Indian culture and traditions. At the same time, these schools must equip their students with the basic skills necessary to survive in what remains, in large measure, a white man's world.

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Getting Off to a Good Start

Indian children often come to kindergarten already at a disadvantage, some not speaking English, and with each passing year they fall further and further behind. Indian homes are not traditionally oriented to intensive book learning. The middle-class stereotype of a morning paper at the breakfast table is alien to many Indian children. To better the chances that these children will get off to a good start, the Bureau sponsored 17 early childhood (pre-kindergarten) programs at an approximate cost of $1.7 million in fiscal 1980. Five thousand children participated in bilingual education programs to help them over the language barrier. Those programs cost $2.4 million. Supplementary library materials and classroom texts were supplied through 70 projects for about $1 million. Programs emphasizing basic skills for educationally disadvantaged children received $19.5 million and special education and related services were provided to handicapped children at a cost of $5.6 million.

BIA also offered out-of-class services in such areas as home life, extracurricular activities, recreation, counseling and career guidance and testing.

The BIA's 14 off-reservation boarding schools serve three types of disadvantaged Indian students: those living in isolated areas with no suitable school near home, those with family or home problems, and those with learning or behavior problems. A 1979 survey of off-reservation boarding schools by the budget arm of the Department of the Interior found that several off-reservation boarding schools with declining enrollments were too expensive to maintain and operate while space was available in other similar schools. Despite the protests of parents, loyal alumni, and other supporters, four of these schools—Chilocco, Seneca and Fort Sill in Oklahoma and Stewart in Nevada—were closed after the conclusion of the 1979-80 school year. The displaced students were enrolled, for the 1980-81 school year, in other BIA schools or public schools.

To provide supplemental programs for some 176,000 Indian students attending non-federal schools (mostly public schools) in 1980, the BIA distributed a total of $29.6 million to more than 800 schools. Local committees of Indian parents determined whether those funds were used for special tutoring programs, home-school coordinators, teacher aides, early childhood education, cultural enrichment programs, summer school sessions or other uses responsive to the needs of their children.

Education for All Ages

Continuing education is a crucial component in Indian education. In fiscal 1980, nearly $55 million was allocated for higher education grants, special higher education programs, adult education, post-secondary schools and tribally-controlled community colleges.

Higher education assistance grants go to needy, college-bound students who are at least one-fourth degree Indian and belong to a federally-recognized tribe. Of the nearly 25,000 applicants in 1980, 20,000 were given assistance. The special higher education program enabled 351 graduate students to pursue studies in law, medicine, engineering, business and forestry.

About 18,500 adult Indians participated in adult education programs, completing high school requirements and acquiring new skills. More than 2,000 of them received their General Education Development certificate, the equivalent of a high school diploma.

The BIA also operated three post-secondary education institutions in 1980. Located in Lawrence, Kansas, Haskell Indian Junior College provided a two-year program of general education to 950 Indian students. The Southwestern Indian Polytechnic Institute in Albuquerque had 400 students enrolled in its vocational-technical programs and the Institute of American Indian Arts in Santa Fe trained 150 Indian students in the graphic arts, sculpture, jewelry making, museum management and the performing arts.

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Tribally-run Schools

Recent acts of Congress have had the effect of decentralizing control of Indian education. Parents and tribal leaders now have a bigger say in the design and operation of educational programs. Forty-five schools, funded by the BIA, are run, totally, by tribes under Indian self-determination contracts (P.L. 93-638). In addition, local school boards at BIA schools now have policy-making roles and the kind of hiring/firing authority that most public school boards exercise.

Another new law, the Tribally Controlled Community College Act of 1978 (P.L. 95-471), is helping tribes develop and operate their own community colleges. In 1980, the BIA provided $4 million in operating grants plus feasibility studies and technical assistance to eleven fledgling community colleges serving about 2,000 students. Navajo Community College in Tsaile, Arizona, received $6.4 million in BIA funds.

Perhaps the most significant piece of Indian legislation to emerge in recent years was P.L. 95-561, the Educational Amendments Act of 1978. These amendments put teeth into the drive for grass-roots control of education by establishing, among other things, a school board training fund. The amendments also mandated a health and safety survey of BIA school and dormitory buildings. That survey, which resulted in the closing of Kinlichee school on the Navajo Reservation on grounds it is structurally unsound, is scheduled for completion in early 1981. Three other projects—an education management information system, a ranking mechanism for BIA school construction projects, and regulations to protect the constitutional and civil rights of students enrolled in BIA schools and dormitories—also were developed in fiscal 1980.

The Bureau's education office was given a new look—and new authority—in 1980. In a major organizational change called for by P.L. 95-561, the Bureau's education programs and personnel were put under a separate line of authority, apart from other BIA offices and programs. The motivating idea was to have education programs run by educators. The new organization gives full authority, under the Assistant Secretary for Indian Affairs, to the Director of Indian Education Programs, who has his own structure of education administrators in the field. The Commissioner of Indian Affairs and his line officers—the area directors and agency superintendents—continue to be responsible for adminstrative support services for the education programs.

Special Social Services

The Bureau's involvement in other social programs varies according to the customs and economic conditions on reservations, the availability of tribal resources and the responsibilities assumed by other welfare agencies. It is BIA policy that insofar as possible Indians should have the same relationship to public welfare agencies as non-Indians. It must be recognized, however, that some Indians require special services not always provided by state and local welfare agencies. Further, the tax-exempt status of Indian lands may affect the ability of some states or local governments to meet the needs of Indians, particularly if they constitute a considerable portion of the population.

The BIA gives general assistance in the form of monthly payments to needy Indian families based on budgetary standards set by the state in which they live. Ailing elderly people and other disabled Indians are provided care in nursing homes or other institutions. About 57,750 Indians were aided with general assistance in each month of fiscal 1980.

When necessary, the BIA directly arranges for the protection and care of dependent, neglected, delinquent and handicapped children and youth. It also contracts with state welfare departments to provide foster care for Indian children in five states. During fiscal 1980, an average of 3,200 children benefited from the BIA child welfare program each month.

With the passage of the Indian Child Welfare Act in 1978, tribes gained new powers over the placement of Indian children—and they are putting them to use. Tribal leaders have long criticized judgments made by non-Indian social workers whom they accuse of misunderstanding

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Indian culture. "If a child is left for some time in the home of an 'extended family' member—perfectly normal Indian custom—this is often interpreted by the most well-meaning judge or social worker from the dominant culture as abandonment or neglect," noted a recent article in The Circle, an Indian newspaper based in Minneapolis. Tribal governments now have limited rights to intervene in custody proceedings and in those cases where an Indian child is removed from its family, every effort must be made to place the child with another Indian family rather than in a non-Indian environment.

Tribal Placement Efforts

Since 1980, the Sisseton-Wahpeton Sioux Tribe has been licensed by the state of South Dakota as a child placement agency, enabling the tribe to provide social services off trust lands and to non-Indian families. In March 1980, the tribe contracted with the BIA to administer the child welfare assistance program for foster care and group care on its reservation.

According to Hugh Grogan, manager of the Sisseton-Wahpeton child protection program, the tribe recruits, trains, licenses and evaluates its foster parents and does considerable follow-up work once a child is placed. The program, says Grogan, does not seek "the wholesale return" of Indian children who have been placed in non-Indian families. "We evaluate each child on a case-by-case basis to see if there is psychological binding with the non-Indian family," he explained. Another factor considered is the degree to which a child is "cognizant of its culture." "For instance," Grogan said, "families in urban areas can involve their children in the local Indian center."

Older children are consulted as to whether they wish to remain in their non-Indian environment or return to the reservation. But in some cases, Grogan admitted, "there is no place for the child to come home to."

For lack of other alternatives, older children are sometimes placed in boarding schools. "They may do pretty well there but they frequently don't develop the kind of coping skills they'll need to live on the reservation," he said..

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Grogan complains that the Indian Child Welfare Act is "too vague and leaves too many openings for different types of interpretation." In addition, he believes that tribes should also be given the right to take custody of young Indians who have been identified as juvenile delinquents and see to their care and correction. "If a tribe has the resources and the will to take these kids in," says Grogan, "they should have the option of doing so."

Counseling Caseloads

BIA counseling and guidance are available to recipients of general assistance and child welfare assistance, and to other Indians with debilitating social problems. BIA workers encourage self-reliance, stable family life and better parenting. They identify handicapped children and consult tribal courts. During fiscal 1980, BIA social workers had a counseling caseload of about 14,000 individuals per month. Social service staffers recommend referrals of students to BIA boarding schools on social grounds, supply information on family planning, help tribes distribute surplus food commodities, and assist in the selection of Indians eligible for BIA housing programs.

With a fiscal 1980 budget of $19.3 million, the Bureau's Housing Improvement Program funds renovations, repairs and additions to structurally sound homes, and provides grants for the purchase of new homes and the construction of new housing for Indians not served by other federal programs.

The BIA's housing development staff has helped tribes acquire Housing and Urban Development assistance and in 1973 it launched the Resident Training and Counseling Program (RTCP). Through that program, more than 200 tribal people employed by local housing authorities have been trained to help families find room in their budgets for mortgage or rent payments, utility bills, furniture and appliances. These staffers also teach do-it-yourself home repair skills.

Recognizing that a tribe's young people are also its future, the BIA's Youth Conservation Corps (YCC) spent $2.4 million employing more than 1,500 young people, 15 to 18 years old, in 62 YCC camps throughout Indian country. These young people spend 10 hours each week learning about edible plants, soil and water testing, etc., and work 30 hours a week at the minimum wage on erosion control projects, nature trails and stream bed improvements. The BIA's Young Adult Conservation Corps employed another 1,500 on fifteen base camps and another 38 satellite camps. Among other things, they dug ditches, fought fires, painted buildings, and raised fish and game. All these projects took place on or adjacent to Indian reservations or public lands or waters.

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The Greatest Resource of All

Thoughtful Indian leaders know that the Indian community's greatest resource is people and the development of this resource must come before all else. It is for this reason that Indian people have been so forceful in recent years in demanding that Indian education programs be designed by and for Indians.

The early efforts of the government and the missionaries to educate Indians were well-meant but misdirected. Attempts to make an Indian hunter into a white farmer or tradesman were ill-fated from the start.

Since those first days, there have been many other mistakes and other failures in Indian education programs. We are still struggling to make things better, to provide Indian students with the kind and quality of programs that they need to grow and to develop their potential. Fortunately, there also have been achievements and progress—and the promise of further gains.

Indian history and culture have been integrated into school curriculums. Special approaches to teaching language, including bilingual programs where needed, are used in many schools. Indian parents and community leaders have an increasing role in the development and direction of education programs. There are more Indian teachers and teacher aides in the classrooms serving Indian children. And Indian students are coming to school with greater expectations and higher goals.

In the 1950s graduation from elementary school was for many Indian students a noteworthy achievement. In the 60s a high school diploma was a common final goal for Indian students. In the 70s young Indian men and women moved into the college scene in substantial numbers; during this period the number of Indian college students receiving assistance grants from the BIA increased from about 3,000 to more than 20,000.

Though the 1980 census figures will undoubtedly show Indians still beneath the national norm in educational achievements—and we can never accept that as satisfactory—there is much reason for optimism.

The Indian Education Act of 1972, the Indian Self-Determination and Education Assistance Act of 1975 and the Education Amendments Act of 1978 have provided the needed legislative mandate to enable the Bureau of Indian Affairs and other governmental agencies to work effectively with the Indian community for continued improvement of Indian schools and Indian education programs. The policy of the Bureau, in carrying out its functions, is to facilitate Indian control of Indian affairs in all matters relating to education.

The Indian people, with our help, will see to it that the schools do their jobs.

Dr. Earl J. Barlow
Director, Office of Indian Education Programs

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Looking Ahead . . . .

As we have seen, the four cornerposts for Indian self-determination and self-sufficiency encompass most BIA programs and policies. From within the office of the Commissioner have also sprung a number of special initiatives that aim to increase and improve Indian participation in BIA activities.

To strengthen consultation and follow-through, the Commissioner appointed four regional representatives. As direct links between the Commissioner and the tribes, they articulate and act on issues of special interest to Indian peoples living in the eastern, southern, southwestern or northwestern parts of the U.S.

Indian preference in hiring, promotion, reassignment and transfer has brought Indian people into jobs at every level of the Bureau. At times, however, positions remain vacant because preference-eligible, qualified Indians have not applied for them. Responding to concerns voiced during fiscal 1980 congressional hearings, a task force sought to assess the overall working of Indian preference through a survey of BIA managers and employees, tribal chairmen and their Alaskan equivalents.

That survey will focus on three areas of particular interests: the qualifications of Indians hired, positions that are not filled because of the absence of qualified Indian applicants, and the increase in conflict-of-interest cases in some programs because of Indian preference.

So that qualified young Indians will be made aware of openings in the Bureau—and the Bureau can keep track of their talents—the BIA is pursuing a recruitment arrangement with New Mexico State University's Indian Resources Development and Internship (IRDI) program. Each academic term, the BIA would send recruitment teams to IRDI's member colleges and universities. Recruiters would brief Indian students on career opportunities within the BIA and solicit resumes and applications.

Indian preference has not worked as well for Indian women as for men. Among permanent, full-time employees, Indian women have an average civil service pay grade of GS-5, compared to a GS-9.4 average grade for non-Indian employees. Indian men have an average grade of GS-8. A 1980 policy directive from the Commissioner asked each area and central office of the BIA to develop an affirmative action plan to promote the recruitment, hiring and upgrading of Indian women for mid-level and senior level supervisory and management positions.

Over time, each of these efforts should enable the Indian voice to be heard ever more loud and clear in the administration of Indian affairs.

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Phoenix Area

The service area of the Phoenix Area Office embraces an immense chunk of the southwestern United States and includes tribal homelands primarily located in Arizona, Nevada, and Utah. It is a land of infinite variety, noted for its diversity and abundant display of natural beauty. The essential character of the region is defined by its oldest inhabitants—the Indians—whose lives present an appealing mixture of today and yesterday, of contemporary attitudes and centuries-old traditions.

The Phoenix Area jurisidictional boundaries are extensive. At the northernmost point, the ranching and farming country of the Shoshone-Paiute Indians on the Duck Valley Reservation straddles the line dividing Nevada and Idaho. More than 700 miles to the south, the Papago Reservation in Arizona forms the southern extremity, its craggy, mesquite-covered desert lands resting along the border separating the United States and Mexico.

In all, the Phoenix Area Office serves 46 reservations and colonies with a resident Indian population of more than 65,000. This includes 20 reservations in Arizona (all tribes except the Navajo, which has its own area office), 24 reservations and colonies in Nevada, and two tribal governments in Utah. More than 11.7 million acres of land rest within the jurisdiction of the Phoenix Area Office.

The Phoenix Area Office, located in mid-town Phoenix, directs and works with 10 agencies and field offices in Arizona, two agencies in Nevada, and one agency in Utah. In addition, the Phoenix Area division of education directs the activities of 22 educational facilities for Indian children and young people, including three off-reservation boarding schools. A fourth off-reservation boarding school, Stewart Indian High School, was closed in the fall of 1980 as the result of budget restrictions.

The southwestern Indians possess a proud heritage and their cultural patterns are closely tied to lands they have occupied for centuries. Consider, for example, that the Hopis in the northwest, the Pimas and Papagos in the south, and the Yuman groups in the west all descended from people who at least 10,000 years ago occupied what is now

Arizona. Even the Apaches, regarded as relative newcomers, arrived in the area about 1,000 years ago.

The Number One Issue

In the arid southwestern region of the United States, no single resource is more important than water. Without water, the land quickly becomes desolate and uninhabitable. Archeologists believe the Hohokam Indians, the first to establish an irrigation system in central Arizona, were forced to abandon their civilization sometime between the years 1400 and 1600 because their water supply dried up.

The lesson of the Hohokams is not lost on today's southwestern tribes. For many of these tribes, water means survival. It is not surprising, therefore, that the Bureau of Indian Affairs spends a considerable amount of time working with tribal governments in the protection of Indian water rights. The struggle is long and arduous, but it is not without its positive results.

On a bright, clear morning in May 1980, Indians from the small Ak-Chin community south of Phoenix gathered in a BIA conference room to approve the federal government's first legislative settlement of an Indian water rights case. A contract providing for implementation of the Ak-Chin Water Rights Settlement Act was signed by tribal officials and the U.S. government.

The contract obligates the United States to meet the emergency water needs of the central Arizona community through construction of a well field and water delivery system from nearby federal lands. It also requires the federal government to meet the community's need for a permanent supply of 85,000 acre feet of water 25 years from the date of the bill's settlement.

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The Phoenix Area Office, particularly its trust protection unit, found itself playing an active role in other water issues during 1980. The massive Central Arizona Project (CAP) generated major headlines and brought the water problems of the state's Indians into public focus. In July, the Department of the Interior recommended that 10 Arizona Indian reservations receive allocations of 309,810 acre feet of CAP water. Since this figure is somewhat higher than those made by previous Interior secretaries, it drew quick protest from the state and other non-Indian water users.

The trust protection unit provides technical support to tribal groups involved in Central Arizona Project matters. Stream adjudications have been initiated in state court and it appears the tribes will be forced into state proceedings. Materials developed for negotiations will be used as the basis for the Indian claim.

For almost a decade, the Department of the Interior has been involved in litigation concerning the right to secure sufficient water to maintain Pyramid Lake as a fishery. The desert lake, centerpiece of the Pyramid Lake Reservation in northern Nevada, is fed by water from the Truckee River. The Indians are seeking water to maintain the level of the receding lake and ensure the survival of the prized Lahontan cutthroat trout and cui-ui lake-suckers.

Trust protection officials report that evidentiary studies in support of ongoing Pyramid Lake court actions will be 90 percent complete in FY 1981 and are scheduled for completion in FY 1982.

Working With Newly-Recognized Tribes

On April 3, 1980, Public Law 93-277, the Paiute Indian Tribe of Utah Restoration Act, was signed into law. This legislation restored or confirmed the federal trust relationship with the Shivwits, Kanosh, Koosharem, Indian Peaks, and Cedar City Bands of Paiute Indians of Utah.

As mandated by the act, election of an interim tribal council took place in May. Grant funds were made available to the interim council for use in completing the initial steps in forming a tribal government structure. The council is at work on a constitution and a formal enrollment program.

The Phoenix Area Office has recommended a new agency be created to serve the Indians affected by the legislation. Plans call for several other tribes with geographic proximity to the southern Utah area also to be placed under the jurisdiction of the proposed agency.

The Phoenix Area tribal operations staff is also working with the Pascua Yaqui Tribe, which became eligible for federal benefits on September 18, 1978. Assistance is being made available for establishing a full-time tribal government through a self-determination P. L. 638 grant and the development of a budget package which has been submitted to the BIA.

A key issue now is a constitution for the Yaquis. The tribe has completed a draft, and with some modification it is anticipated the constitution will become effective in the spring of 1981.

On January 21, 1980, the BIA approved the first constitution of the Tonto Apache Tribe in Arizona. Complying with the constitution, the tribe recently held its first election of officers to the tribal council.

The Making of a Superintendent

Recognizing that the job of agency superintendent is one of the most demanding in all of government, the Phoenix Area Office launched its training program for superintendent interns several years ago. As a result, Phoenix Area tribes are getting better service and the Bureau is better represented in the operation of its programs.

Participants in the two-year program are schooled in the separate branch operations of the Area Office and, whenever possible, receive on-the-job training in the field. They are also encouraged to attend management, business, and leadership classes at nearby Arizona State University.

Area officials are refining the course of study to place added emphasis on program operations and actual work situations the interns will encounter when they join the ranks of the superintendency.

Flight Of The Papago

Phoenix Area employment assistance staffers found themselves literally up in the air in 1980 over the success of one adult vocational training student.

Alex Blaine, a Papago Indian, used assistance from the Bureau of Indian Affairs to earn a pilot's license and then to complete the rigorous training necessary to become an "ag" pilot.

Blaine is believed to be the first Indian to obtain a license as a crop duster in the state of Arizona. "It was something I always wanted to do," Blaine explained. "You don't really know what you can accomplish until you make the effort. I was lucky because I had a lot of help and encouragement."

After graduating from Lehman Aviation's Professional Center at Casa Grande, Arizona, Blaine formed his own corporation and secured contracts with several tribes to spray and dust crops. He hopes to expand his business to provide air taxi and ambulance services for southwestern tribes, a service particularly needed in places such as the sprawling Papago Reservation in the southern part of the state.

After receiving his license, Blaine paid a visit to his employment assistance friends and offered a ride into the friendly skies of central Arizona to anyone who wanted to go up with him. The offer was gratefully made, and gratefully accepted by several Bureau employees who are quick to praise the skills of the Indian aviator.

Automation Comes To Social Services

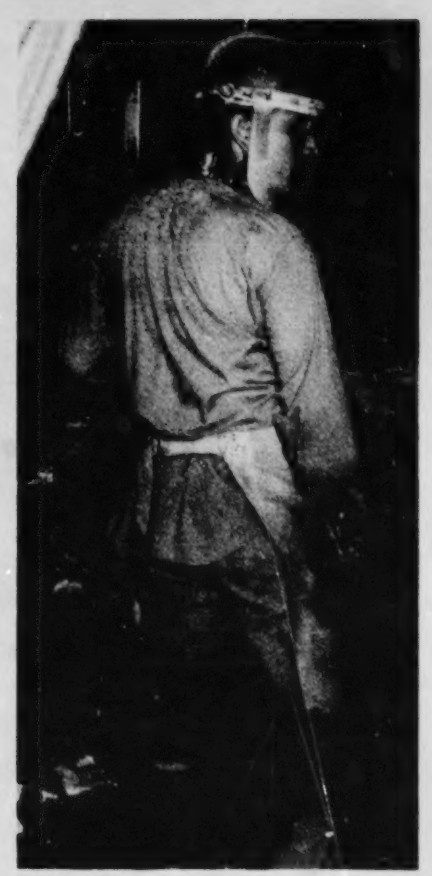
The Phoenix Area Social Services program in October 1979 took a large step into the field of automation, slashing the time it takes to pay eligible Indian clients and streamlining its data gathering abilities.

As the system's first beneficiaries, eligible clients of the San Carlos Apache Tribe received 188 welfare and foster care grant payments totaling $22,000. Clients served by the Fort Yuma, Colorado River, Papago, and Pima Agencies were to be added to the system by November 1980.

Previously, social services payments took from three to five weeks to issue; under the new system the process will take from two to seven days.

Serving both Bureau and tribally operated programs, the data processing system produces 34 reports to assist (1) caseworkers in the management of their services, (2) supervisors in financial program and workload management, and (3) automatic production of all monthly, quarterly, and annual reports. In addition, for the first time demographic and profile characteristics of the social services population will be available to improve planning.

Conversion from the old manual to the new automated system presented a difficult task. In a three month period, 10,000 case records were coded and



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entered into a computer in Denver, Colorado. In FY 1981, there will be 18 locations, tribal and Bureau, with a terminal and printer for use in the operation and management of social services programs which total more than $16 million in the Phoenix Area.

Based on the successful results in the Phoenix Area, the Bureau of Indian Affairs is expanding the automated system nationwide to serve Indian social services clients.

On the Move: A Story of Four Tribes

Phoenix Area tribes seeking economic self-sufficiency and a better life for their people are rapidly moving toward their goals and objectives.

In Arizona, for instance, the San Carlos Apache Tribe reached an agreement to import and process jojoba beans, which produce an oil used in cosmetics and hair care products. The Apaches will buy the beans from the tiny Cochimi Tribe in Mexico, which harvests them in an isolated mountain valley in northern Baja, California. The agreement is thought to be the first of any kind signed between native tribesmen of the two countries.

Tribal officials estimate jojoba harvesting and processing already infuse the San Carlos economy with approximately $100,000 a year—and with the signing of the contract with the Cochimi Tribe, future projections are considerably higher.

The Washoe Tribe is being singled out by newspapers in northern Nevada as "an Indian tribe that's going places." The Washoes keep tabs on their $3.5 million budget (up from $50,000 a decade ago) through a computer system. They also are in the process of completing more than 100 single-family homes for Washoe families.

The newest jewel in the Washoe tribal crown is a $115,000, five-employee "minimarket" in Dresslerville. In its first four months of operation, the business put $24,000 into the tribal coffers. Tribal leadership was so impressed with the success of the first "minimarket" venture that a second was opened. It, too, is turning a profit.

Havasupai Indians who live at the bottom of the Grand Canyon rely on burros to haul their goods home.

The Ute Indian Tribe on the Uintah and Ouray Reservation in Utah is big business. The tribal council involves itself with million dollar decisions on matters ranging from oil shale development to the operation of its several enterprises. But the tribe has not lost sight of what it considers its most important resource—its young people.

After months of planning and preparation, the tribe's youth treatment program became fully operational in 1980 with the opening of two group homes providing residential care and treatment for boys and girls. The program has resulted in marked improvement in school achievement for the young people involved.

The tribe made the initial investment to get the home built and the program operational. Further funding came from the state and the Bureau of Indian Affairs. A BIA social worker served as chairman of the committee which planned and developed the youth treatment program.

Among its achievements for fiscal 1980, the White Mountain Apache Tribe boasts completion of a new tribal executive office building, an $8.2 million high school for tribal young people, and the start of construction on a long-awaited vocational skills center.

The Arizona tribe used funding from a self-determination (P. L. 93-638) grant to build the tribal executive building, which features offices for the chairman, tribal attorney, and council members. The school in Whiteriver, which opened its doors to students in September 1980, was funded by the Bureau of Indian Affairs.

Construction also is underway on a tribal vocational skills center. The tribe intends to seek a P. L. 93-638 contract for the BIA's employment assistance program to help with on-reservation training of tribal members at the facility.

In spite of the collapse of the housing market, the tribally owned and operated timber mill managed to turn a profit. Likewise, the tribe's Sunset Skiing Resort did well, thanks in part to an excellent supply of snow.

These four tribes were certainly not alone in their efforts to build a better future. In the Phoenix Area, 1980 produced 199 self-determination contracts totaling $22 million. In addition, Phoenix Area tribes received 58 self-determination grants totaling $2.5 million for the year. Growth seems to be the one constant of the self-determination program in the Phoenix Area, and the pattern should continue as tribal governments travel new avenues to realize their potential.

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Sacramento Area

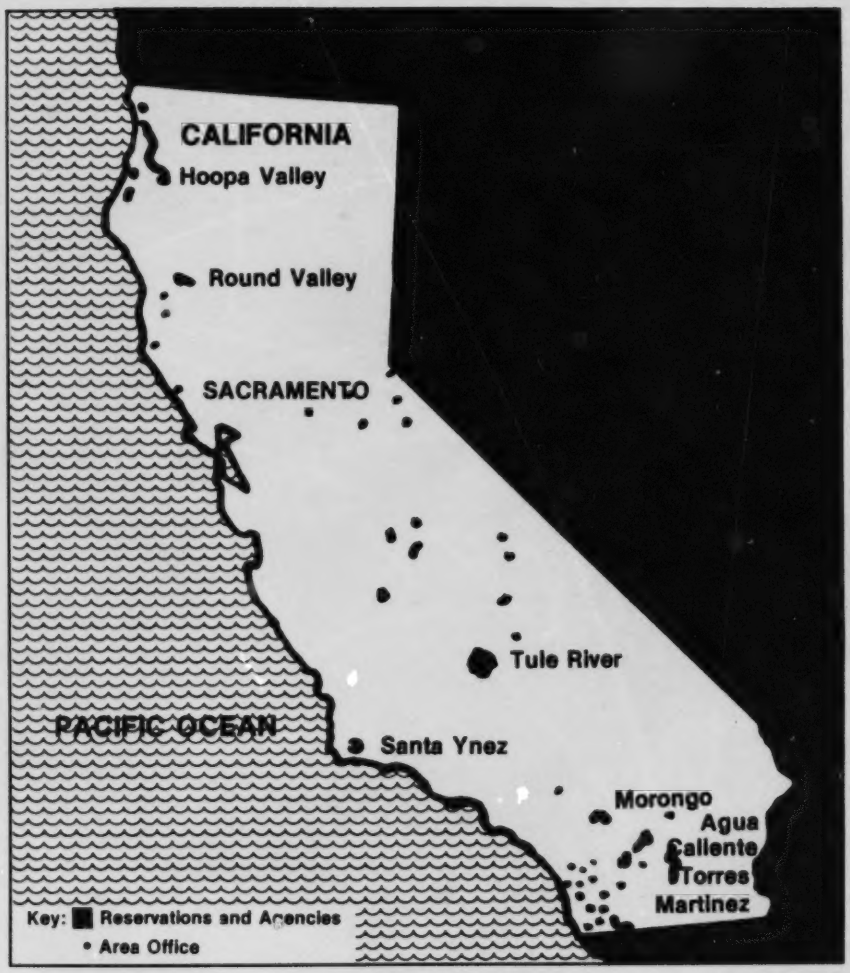
Each year Indians from all over California come together under one roof. It's not an easy task, since there are 82 tribes in California, not to mention thousands of urban Indians and dozens of officially unrecognized tribal groups.

Yet the California Indian Days festival typifies the triumphs and tribulations that the state's Indians face because of their wide diversity in cultures, traditions, and individual problems. The four-day festival in Sacramento is an opportunity for tribes and reservations to pool information about educational programs, share crafts, compete in drumming, singing and dancing, and get together for an inter-tribal pow-wow and rodeo.

Most of all, it's a chance for Indians to mingle with other tribes. Such unity is vital in a state where there is no single dominant tribal voice, but rather a multitude of tribes, ranging in size from the tiny Cuyapaipe band with two tribal members to the Hoopa Valley Reservation and extension with a population of 1,500.

California Indians have historically found themselves in a Catch-22 situation. Despite the large Indian population, tribal groups have no significant land base in California since many of the state's rancherias and reservations lost trust status during the past decades. And since BIA service needs are generally judged by land allotments, many California Indians are caught in the trap of not having land—and thus not qualifying for Bureau assistance. A striking example can be seen in the Southern California area, where an estimated 65,000 to 75,000 urban Indians live, but where the BIA is confined to providing services for only 6,500 mission Indians.

Inroads are being made, however, and meeting the needs of more Indians in the state is one of the major challenges the Bureau will be tackling. Three agencies in the north, central, and south part of the state serve tribes that are scattered across California, from metropolitan Los Angeles to northeastern farm country to rural coastal areas. In addition to the agencies in Hoopa, Sacramento and Riverside, separate field offices are maintained in Klamath and Palm Springs to deal with specific needs of local tribes.



Restoring The Land Base

It is anticipated that more and more tribes and Indian bands will re-establish their government status in the next few years. A class action suit filed on behalf of 41 rancherias that were to be terminated is currently pending in U.S. District Court. BIA-funded research uncovered 920 cases where possible claims exist for historical damages in which tribes and rancherias lost their trust status and the land subsequently left Indian hands.

The Bureau also is helping some tribes expand their land base by acquiring surplus public lands through such funding sources as Housing and Urban Development Community Block grants. For example, the Susanville Rancheria, which had outgrown its original 40 acres, acquired 120 acres from the Bureau of Land Management. Small-scale expansion of this kind is vitally important to tribes where all available land has already been assigned for homesites and none remains for the younger generation who are beginning their families.

As the Indian land base in California slowly grows, the Bureau's realty branch is helping tribes explore ways to develop their 450,860 acres of Indian-owned land. Several hundred leases were negotiated this past year for uses varying from a shopping center to range and pasture land. But tribes are also being encouraged to develop their land themselves. A new irrigation project in Del Norte county will enable tribal members to grow hay and other pasture and vegetable crops. Walnut and apple

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orchards were planted under a farmland improvement program in central California and an avocado orchard was started on the Pala Reservation near San Diego. The Bureau is studying ways three Southern California tribes can best put to use water they will receive from the Escondido Canal.

Weather is usually not a problem in sunny California. But in 1980 Southern California tribes were ravaged by the torrential rainstorms that swept the state in January and February. Seventeen reservations were forced to apply for state disaster relief as a result of severe flooding. Roads were washed out at the Torres-Martinez and Los Coyotes Reservations. There was extensive damage to the Morongo Reservation's irrigation system and the Soboba Reservation suffered serious soil erosion. The BIA took charge of repairing roads and helped locate other sources of government funding for the remaining repairs.

Tribal Resources

Timber is gold to several California tribes and forest land is one of the major resources owned by Indians in the state. Forest land on the Hoopa Reservation brings in an average $4.7 million in revenue and three central California tribes make about $800,000 a year in timber sales. However, because of a slump in California's construction industry, logging was down in 1980 and many timber contracts were extended for one year.

Overseeing the forest resources is an extensive job, and the Bureau's forestry branch takes charge of timber sales, thinning, seeding, and planting new trees. For the first time in 10 years a good Douglas fir cone crop will be available and the forestry branch plans to replenish its seed bank to ensure an adequate supply of quality seed in the future.

Although most of the reservations have fire protection contracts with state and forestry agencies, plans are underway to train more Indians for fire management positions. A well-run Indian-staffed fire unit on the Hoopa Reservation answered 240 fire and accident calls in fiscal 1980. In the southern part of the state, a volunteer fire protection district was established through the Southern California Tribal Chairmen's Association.

Another important resource, in the greenly forested area of northern California where the Klamath River empties into the Pacific Ocean, has been the center of an ongoing dispute. The controversy resolves around a state ban—aimed at protecting the salmon—which prohibits commercial fishing on the Klamath. Although the Yuroks and Hoopas are still allowed to fish for their own subsistence, they also feel they should have ultimate control over fishing rights on the part of the river that runs through the reservation. However, until the Yuroks become an officially organized tribe, they are not eligible to manage the resource and therefore the Bureau has stepped in as a trustee, until both the Yuroks and Hoopas can take over.

In the interim, the Bureau has set up a unique law enforcement agency and court system to enforce fishing regulations, the only such system run by the BIA in the state. Four boats patrol 65 miles of the Klamath, staffed by Indian officers who have received both federal and state law enforcement training. A base station has been established so the officers can directly communicate by radio with each other and help county and state law enforcement agencies in

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emergencies. Also, for the first time, officers have been cross-deputized so they will have jurisdiction off the reservation in Humbolt and Del Norte counties.

An Indian-run court system that was created in 1978 deals with fishing violations. Four associate Indian justices were trained under a special program and have conducted all fishing trials since 1979.

Since the BIA took control of the fishery, a strong effort has been made to educate the reservation's residents about the fishing regulations. Because of the greater understanding and compliance that resulted from this policy, fewer violations took place in the last two years. But the decline in citations sparked criticism from the outside community that the Bureau was not adequately policing the river. As a result, another objective this year was to strive for better communication between the Indian law enforcement agency and the community at large.

Housing, Education And Jobs

Since two-thirds of California's Indians live outside reservations, there are only eight Indian housing authorities in the state. Many of the 11,000 Indian housing units are in dismal shape, with only about 25 percent in standard condition. More than half of the substandard housing units need to be replaced and 4,000 families are in need of permanent housing. The critical housing shortage has been accompanied by a funding shortage under the Housing Improvement Program, and the BIA has been able to meet only about 10 percent of the requests for housing assistance. However, the Bureau's housing branch has attempted to solve the problem by training staff members to locate alternative sources of housing funds, including the Cal-Vet program and Farmers Home Administration loans and grants.

Although there are no federal Indian schools in the Sacramento Area, the Bureau operates a number of successful Indian educational and employment programs. Accomplishments range from high school equivalency completions to a Lyndon Baines Johnson Congressional Internship in Washington, D.C.

Two career development centers in Southern California, employing the concept of "Indians assisting other Indians to help themselves," aided 2,500 Indians in the past year in obtaining technical educational training. Under special programs, youngsters are taught their individual tribal customs, while parents are taught how to instill positive attitudes in their children about themselves. Special classes in Native American crafts help keep alive such traditions as basketweaving and beading.

On-the-job training programs are being phased out because of funding cuts, but several are continuing to operate successfully. One in Southern California, in which the program's cost is split by the Bureau and the tribe or company, has a high success rate with 80 percent of the participating Indians finding jobs upon completion of their training.

Transportation is a major problem in the Los Angeles area since many of the employment opportunities fall outside city limits where there is little public transit. The agency there is working with various Indian groups to set up car pools and arrange other means of transportation.

A special Indian rehabilitation program helps Indians who were incarcerated cope with the outside world when they are released. Parolees are assisted in finding jobs and enrolling in educational and vocational training programs.

Contracts Under Self-Determination

One area in which California Indians have run up against problems because of their numerous tribal groups is in arranging P.L. 93-638 contracts for specific services from the BIA. Since neighboring tribes share 638 funding, a concensus is needed about what services should be provided. The Bureau anticipates overcoming such roadblocks by forming consortiums of tribes to contract for Indian self-determination services. More than fifty 638 grants were distributed to tribes in 1980 that were used for a variety of purposes, including updating membership rolls, developing tribal constitutions and improving tribal management systems.

Litigation

Court battles have become an inescapable part of life for many California Indians. One legal dispute that has been dragging on for more than 17 years is the *Jessie Short* case, in which Yuroks are seeking a share of the timber-rich Hoopa Reservation's assets. The Hoopa-Yurok litigation is complicated because the Hoopas are an organized tribe but the Yuroks are not, and have opposed formal organization until the *Short* case is settled. Although the U.S. District Court has ruled that the *Short* plaintiffs are entitled to share in the reservation's assets, it remains to be determined which Yuroks are eligible for those assets.

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Another inter-tribal matter involves the Pit River dispute over land in Modoc county. A permit for the X-L Ranch was originally issued to the Home and Agricultural Cooperation Association, an agricultural and cattle raising cooperative that was formed by several Pit River Indians in 1938. But in 1975, all 11 bands of the Pit River Nation were designated as the proper land owners, provoking a lawsuit by the association. That suit is still pending in U. S. District Court. However, the Department of the Interior is hoping to settle the matter out of court and has instructed the Bureau to investigate other public lands in northeastern California as potential reservation land for the 912 Pit River Indians.

An Expanding Future

As more and more rancherias and reservations regain their trust status the Bureau looks forward to meeting the needs of a greater portion of the Indian population that has generally been ignored until now. In addition, with the passage of the Indian Child Welfare Act, under which $1 million was allocated to California, the BIA will be working with a whole new population, one that will include urban Indians who will be eligible for Bureau services for the first time.

One of the first goals will be to ascertain the total Indian population in the state. Until now, official estimates have been sketchy. The Bureau plans to make use of the 1980 census to derive an accurate count of California Indians.

Health care for the state's Indians should improve substantially as a result of the lawsuit brought by the Rincon band. Although California Indians comprise 10 percent of the Indian Health Service's population, they were receiving 2 percent of IHS's budget allocations. Under the *Rincon* decision, the Indian Health Service, a part of the Department of Health and Human Services, is obligated to more equitably distribute its funding.

The Ermine-Lined Reservation

Set amidst rocky canyons and desert land in the lush oasis of Palm Springs, the Agua Caliente Tribe through a geographical quirk has become one of the wealthiest tribes in the United States.

Palm Springs is sometimes called the "ermine-lined reservation" because the 188-member tribe holds leases to some of the resort city's most exclusive developments, including the luxurious Spa Hotel with its famous mineral springs. The abundant hot springs, which gave the tribe its modern-day name, was an ancestral gathering place for hundereds of years. Tribal members attributed magical curative powers to the water. Today, the spa is a far cry from its original rough-hewn plank shack, and it draws thousands of visitors each year.

The tribe's 25,000 acres are scattered throughout the city of Palm Springs and extend to outlying areas, including the breathtaking Palm Canyon. Its rocky gorges have made it a favorite Hollywood western film location for many years.

Strategically placed as a watering ground for the wealthy, the Palm Springs Reservation generates the largest annual rental of all reservations in the country. Although Agua Caliente's land leases account for only two percent of the national total of leased Indian land, they produce 33 percent of all surface rentals. About 3,200 acres of tribally-owned productive land bring in $5 million a year.

A separate BIA field office in Palm Springs oversees the tribe's real estate, arranging appraisals, developing leases and maintaining existing leases. In 1980 alone, among other contracts, leases were negotiated for a 250-room luxury hotel, 540 condominium units, three commercial developments and 299 residential units. The tribe, with the help of the field office, is relying less on middlemen and is concluding new leases directly with condominium owners.

Despite what may seem an enviable position, the road to developing the tribe's land has not been a smooth or speedy one. Because the reservation's land parcels are spread throughout the city in a checkerboard fashion, development of Indian land has been inextricably tied to development of the city as a whole. Disputes with the city over zoning rights were finally resolved three years ago when it was determined in a court case that Indians had ultimate zoning power over their land.

"The question has been, 'will there be a city within a city?'," said Tribal Chairman Ray Patencio. "We don't want that."

The tribe has aimed "to cooperate with the city of Palm Springs," he said, although some differences of opinion arise now and then over how the land should be zoned. The tribe has a contract with the city allowing it to act as an agent for development of Indian land. That arrangement appears to be working well enough. The tribe hopes to negotiate a similar contract with the county of Riverside in the event that it incorporates portions of Agua Caliente-owned land.

On one issue, said Patencio, the city and the tribe are in complete agreement: 'We want the best return for the land."

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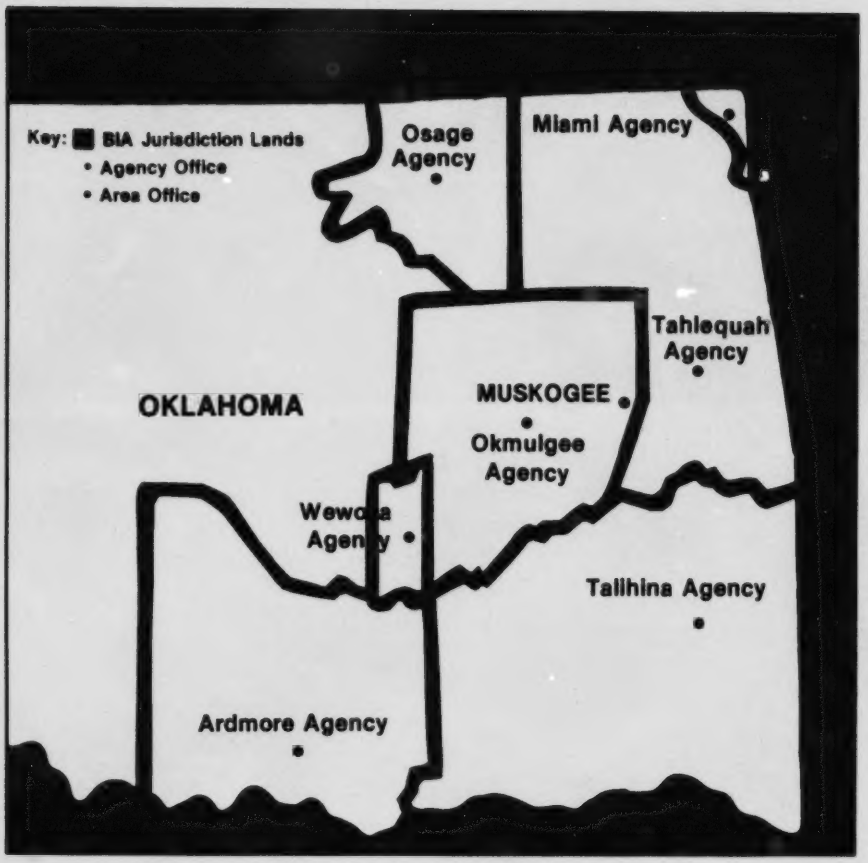

Muskogee Area

Indian tribes served by the Muskogee Area Office have left an indelible mark on the state of Oklahoma. The name Oklahoma is a derivative of a Choctaw word. "Okla" means people and "Homa" means red. Etymologists trace the origins of the word to an Oklahoma Choctaw, Allen Wright, one of the state's early-day educators.

The 14 tribes located in the Muskogee Area include the Cherokee, Choctaw, Chickasaw, Creek, Seminole, Osage, Eastern Shawnee, Seneca-Cayuga, Quapaw, Miami, Peoria, Modoc, Wyandotte, and Ottawa. These tribes are served by seven agencies in eastern Oklahoma.

The Area Office is charged with the trust responsibility for more than 803,000 acres of Indian land and serves more than 97,000 Indians. Muskogee Area activities primarily fall within five major categories—Indian services, tribal resources development, trust responsibilities, education, and administration.

Indian Services

In a continuing effort to strengthen tribal government in the Muskogee Area, the tribal operations staff deals with issues of vital importance to its service population.

New constitutions were approved this year for the Creek, Ottawa, and Peoria Tribes. The Creeks had been without a constitution since 1906, and the Ottawas and Peorias have not had constitutions since they were terminated in 1956.

Legislation enacted by the 95th Congress restored federal recognition to the Ottawa, Peoria, and Wyandotte Tribes, and provided for the creation of a tribal entity, the Modoc Tribe of Oklahoma.

The Quapaw Tribe of Oklahoma is one of many tribes using Public law 93-638 self-determination grant funds to strengthen their governmental structure. The Quapaws are planning to develop a tribal constitution with funding provided under the Act.

Tribally-sponsored housing authorities in the Muskogee Area have signed contracts or begun construction on approximately 750 units in eastern Oklahoma. This program improves the standard of living for Indian families through construction of modern housing.

As in past years, the BIA Housing Improvement Program (HIP) is providing grants to low-income Indian families who cannot qualify for other housing programs. This program funds the repair, renovation, and modernization of existing homes. In addition, assistance is given and down payments made for eligible participants to obtain funds for purchasing standard homes through other agencies such as Tribal Credit Associations, Farmers Home Administration, and Urban Renewal.

At the Tahlequah Agency, the Cherokee Nation has contracted for a Tribal Work Experience Program (TWEP) since 1977. Agency officials report that there has been an increase in the number of women certified as family heads and placed in the program.

Trust Responsibilities

In the early 1800s, Chief Justice John Marshall described the relationship of the United States to Indian tribes as "perhaps unlike that of any other two peoples in existence." Over the years, the federal-Indian relationship has been variously characterized as resembling a guardianship, a guardian-ward relationship, a fiduciary relationship, and a trust responsibility.

In the Muskogee Area, trust services are handled primarily by the branches of real property management and land operations.

The branch of real property management is responsible for the management, direction, development and protection of trust and restricted lands. Its central objective is to help the Indian land owner administer his resources.

Five separate activities are coordinated by the Area realty officer. They include reports and control, acquisition and disposal, tenure and management, rights protection and environmental quality.

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The reports and control section maintains all records of enrollment and allotment of Indians of the Five Civilized Tribes, which originally totaled 102,000 individual cases. Certification of degree of Indian blood is the most time-consuming activity of this section.

Microfilming of the documents on record is underway. When completed, the microfilm will be indexed for quick recovery through a Micropoint System Indexer. The system features an inventory computer which can store vast amounts of information and provide quick recall of facts pertaining to an allottee.

The acquisition and disposal section is responsible for the purchase and sale of restricted property, termination of restrictions, granting of rights-of-way easements, and matters pertaining to the taxable status of restricted and trust land.

Activities of the tenure and management section involve the leasing of properties held restricted by each of the Five Civilized Tribes, individual allottees, and purchasers of trust or restricted lands.

The rights protection section was established in the Muskogee Area in 1978. It assists tribal groups and individuals with trust properties in the protection of their rights. It also safeguards rights of Indians as set forth in treaties, laws, or executive proclamations.

The environmental quality section insures that all projects are undertaken in accordance with the regulations arising from the National Environmental Policy Act of 1969.

The major function of the division of land operations in the Muskogee Area is to provide technical assistance relating to conservation measures taken to protect the natural resources of tribal groups. The field technicians apply sound practices and measures concerning the use, conservation, and development of soil, plants, water, timber, and other natural resources. Indian communities under the jurisdiction of the Muskogee Area receive in-depth service and training on the use and development of conservation practices from land operation technicians.

During 1980 the Creek Tribe of Oklahoma began operating one of the finest dairies in the southwestern United States. Funded by the Economic Development Administration, the sophisticated 300-cow milking operation employs about 20 Indians full time. Located on 517 acres of tribal land in northern Hughes county, the operation uses a 16-stall herringbone milking system with 2,000-gallon milk coolers.

Tribal Resources Development

Historically, loans in the Muskogee Area have been related to agriculture. But that may be changing. The shifting pattern of land use and the declining land base of Indians in the area have led Indians to seek occupations which are entirely new to them. To prepare these Indians for their new jobs, training is assuming a larger role in area operations. It appears likely the migration of Indian workers to urban areas will continue in the future.

Economic conditions have affected the establishment of new Indian industries for the Muskogee Area. The total number of projects generated by the Area division of industrial development includes 28 manufacturing facilities, seven commercial enterprises, and one agricultural activity. In March 1980, employment for the 36 enterprises was 3,514 of which 915 were persons with one-quarter degree or more Indian blood.

The Muskogee Area vocational development program provides services to eligible Indian people in eastern Oklahoma. The primary objective of the program is to help Indians achieve better economic opportunities through vocational training, on-the-job training, or direct employment.

The Muskogee Area branch of roads is responsible for two programs—one of construction and improvement and the other of maintenance and repair. Only a small amount of the current year funding is available for the maintenance program, and it is used for emergency repair of hazardous conditions such as washouts and slides.

Education

The 12th Annual Muskogee Area Fine Arts Festival at Sequoyah High School spotlighted Indian heritage workshops presented by Indian artists who have achieved national and international fame. Trophies and ribbons were warded to students in a variety of categories, including wood carving, fabric, painting, beadwork, jewelry making and Indian music.

Education activities are a vital part of the Muskogee Area Bureau of Indian Affairs program. Services are provided to boarding schools, peripheral dormitories, and individual Indians through the higher education grant program, adult education programs, and elementary and secondary education. Major program emphasis is on staff and school board training.

Implementation of Public Law 95-561, Educational Amendments of 1978, culminated in a series of workshops to train school staff and board members. These sessions examined the requirements of the law, including the new personnel regulations which were implemented May 1, 1980.

The Bureau of Indian Affairs negotiates adult education contracts with Indian tribes of eastern Oklahoma and the Adult Education Specialist works closely with agency superintendents and the tribal leaders to develop programs for the

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particular tribal areas. At various centers throughout the area, students from the first to the 12th grades are taught. The teachers pre-test those who can pass the GED examination for the General Equivalency Certificate (diploma) from the State Department of Education.

The Muskogee Area Office made higher education grants to more than 2,500 Indian college students this fiscal year. The grant program is designed to assist eligible students of one-quarter or more Indian blood who meet certain scholastic and need requirements.

At present, the Muskogee (Creek) Nation is the only tribal organization in the Muskogee Area to administer its own higher education program.

Administration

The Muskogee Area Office traditionally has performed the administrative housekeeping services for both Muskogee and Anadarko Area Offices and for Haskell Indian Junior College in Lawrence, Kansas.

Recent legislation—such as the Civil Service Reform Act and the Education Amendments of 1978—has brought change to the branch of administration. Also, budget reductions resulted in the closing of Seneca Indian school, Chilocco, and Fort Sill high schools.

The success of the branch of budget is difficult to measure in terms of projects completed, cases processed, or number of people reached. Rather, its success should be measured by the continuity of procedures, efficiency of operation, and the effectiveness of the management of program plans.

The Area Programs Officer coordinates the Young Adult Conservation Corps (YACC) and the Youth Conservation Corps (YCC) programs. In FY 1980, one YACC camp was operated under contract with the Choctaw Nation of Oklahoma and six YCC camps were operated by the Chickasaw, Choctaw, Seminole, Quapaw, and Wyandotte Tribes and Jones Academy.

Coordination of the Area's 1982 budget formulation plans is the job of the Office of Programs and tribal involvement continues to be stressed and encouraged. Tribal officials actively participate in determining program funding and priority for their respective agencies. Through the cooperative effort of agency staff and tribal groups, the budget process has provided a means through which Indian self-determination can be enhanced and realized.

Albuquerque Area

Fast runners raced across the New Mexico terrain—over mountains, across rivers and streams and through desert landscapes. They carried messages of a Pueblo uprising against their Spanish occupiers. The year was 1680—a century before the American Revolution. The Spanish had come to New Mexico a hundred years prior to that time, seeking gold and the Seven Cities of Cibola. During this period, they dictated laws and lifestyles to the Pueblos, who finally rebelled against them.

The year 1980 marked the 300th anniversary of the Pueblo uprising. The Tricentennial was celebrated with a parade, dances and ceremonies and among the visitors were a number of foreign dignitaries from Spain and Mexico.

The Albuquerque Area Office serves most of New Mexico, Colorado, and a small part of Utah. It includes nine agencies. They are the Northern Pueblos Agency and the Southern Pueblos Agency, each agency serving eight and nine pueblos respectively; the Jicarilla Apache Agency; Mescalero Apache Agency; Southern Ute Agency; Ute Mountain Ute Agency; Zuni Pueblo Agency; and Ramah-Navajo Agency. In February of 1980, the ninth agency was designated—the Laguna Pueblo Agency.

There are some 50,000 Indian people within the Albuquerque Area, and the reservations encompass almost 4.2 million acres. While Albuquerque itself is a fast-growing metropolis, the area takes in many a sleepy village. There are vast desert plains—and mountains thick with winter snow.

Albuquerque Area tribal groups are using the provisions of Public Law 93-638 (Indian Self-Determination and Education Assistance Act) to assume operation of some reservation programs. Several employ computers and related hardware. Economic development varies greatly in the area, depending on such factors as proximity to major markets, availability of natural resources, and education or skills levels of tribal members.

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The Bureau's Newest Agency

In February, the Secretary of the Interior approved establishment of the Laguna Agency—the newest agency in the Bureau of Indian Affairs. The agency serves more than 6,000 Indian people and oversees nearly half a million acres of land. The Laguna Pueblo was, in both land area and population, about one-third of the Southern Pueblos Agency. As one of 10 tribes in a multi-tribal agency, it did not receive the attention needed.

The Commissioner of Indian Affairs declared that both Laguna and the other nine pueblos will benefit from establishment of the new agency. Laguna will be able to function better on its own and the other pueblos will thrive without the dominating influence of Laguna Pueblo.

Tapping Energy Potential

Albuquerque Area gives technical assistance to 24 tribal groups in New Mexico and Colorado in planning mineral developoment and leasing activities. On the Southern Ute Reservation, an extensive field-oriented study was conducted to determine the potential for coal extraction and, at Zuni, current and potential coal mining leases are undergoing review.

Reclaiming The Land

Due primarily to a depressed uranium market, the Anaconda Company is phasing out an open pit mine it has operated since 1957 on the Laguna Reservation. The Jackpile-Paquate mine poured millions of dollars into the tribe and provided employment for hundreds of people.

Its looming shutdown has made necessary the development of post-mining reclamation plans. The Bureau, along with the U.S. Geological Survey, the Laguna Tribe, the Environmental Protection Agency, the Council of Energy Resource Tribes (CERT), and the Anaconda Company, was preparing a comprehensive reclamation plan that is expected to become a worldwide model for reclamation of open pit uranium mines. The plan takes many factors into consideration, including the effect on ground and surface water, prevention of erosion, and the restoration of grazing lands.

Geothermal Projects: Pro and Con

Public Service Company of New Mexico, Union Geothermal of New Mexico and the U.S. Department of Energy plan to establish a 50 megawatt electrical generating plant on private land in the Jemez Mountains. The plant would use superheated ground waters. The Pueblos of Jemez, Zia, and Santa Clara have strongly opposed this development contending that the plant, which is located upstream from tribal lands, would diminish stream flow and desecrate sacred lands.

Paul Tafoya, Governor of Santa Clara Pueblo, said that the Pueblos will take every measure legally available to stop the project. Extensive litigation is foreseen and the BIA will provide technical advice.

Another major development in the geothermal area was the completion of Shell Oil Company's exploration drill hole at Isleta Pueblo just south of Albuquerque. This hole, drilled to roughly 21,000 feet did not strike oil or gas. However, waters heated above 400 degrees Fahrenheit were discovered.

This geothermal find clearly is of great interest. If the waters can flow at a constant and high rate, then the potential exists for domestic space-heating of the entire Isleta Pueblo.

Spurred on by this exciting prospect, a consortium of state and federal agencies is interested in geothermal testing of the waters to prove or disprove the geothermal heating possibilities. The Isleta Tribal Council is considering the matter.

Petroleum Power

In 1980, there was a huge increase in exploration drilling for extended domestic reserves of petroleum, and much of this exploration was on Indian lands. More than 50 new wells were drilled on Southern Ute lands alone. New drilling occurred on both old and new leases. Due to rising petroleum prices, the BIA recommended for approval only those leases which will bring the tribes their fair proportion of rising profits.

The huge profits realized from petroleum royalties have made it possible for some tribes to enter into joint ventures with major oil companies. Joint ventures promise a much greater return than would be realized via set royalties. Going a step further, the Jicarilla Apache took over complete control of oil and gas development on their lands in 1980. They were the first tribe to do so.

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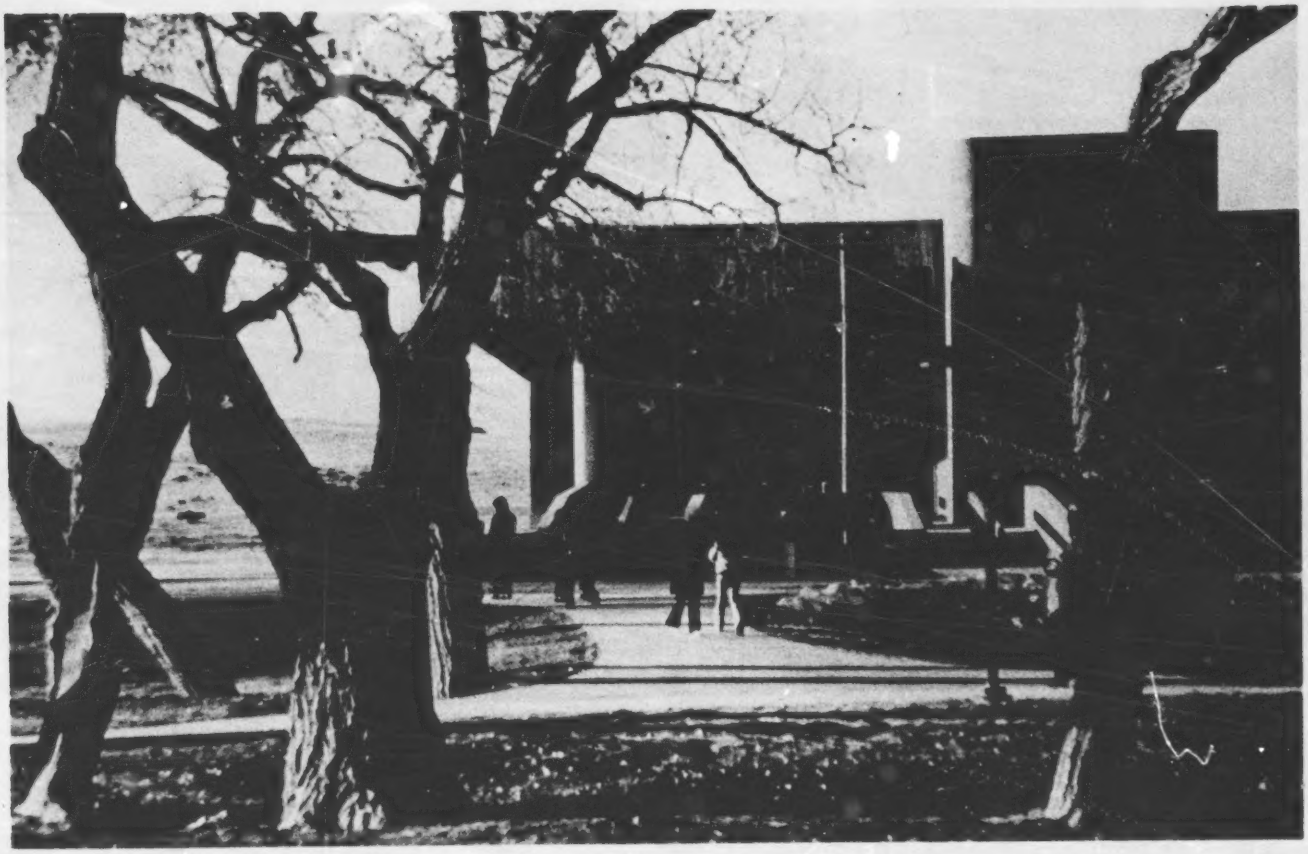

Southwestern Indian Polytechnic Institute in Albuquerque.

Fighting The Floods

In May 1979, rain and heavy snow runoff caused extensive flooding, especially at the northern New Mexico Pueblos of Taos and Picuris. At Taos, the staff of the Northern Pueblos Agency, working with about 200 Pueblo men, women and children through a 72-hour period, put in place 24,000 sandbags and built embankments, preventing extensive flooding from occurring within the Pueblo. However, all of the water diversion dams, headgates and some major irrigation ditches were washed away or filled with silt. Three of the damaged homes were repaired as soon as the weather cleared.

The Pueblos were assisted in obtaining Federal Disaster Emergency funds and repair projects were begun. River channels were cleared and diversion dams and headgates rebuilt. As a result, while weather conditions in the spring of 1980 were identical to the spring of 1979, there was no flooding of consequence.

Fallen trees were removed from Taos Creek (Rio Pueblo) for a mile and a half below Plaza bridge at the Pueblo, allowing the stream to flow freely rather than flood individual farms and houses along the streambank. Since this work was completed the flow of the river has been well under control.

Because of the flood damage of 1979, both Taos Pueblo and the BIA have worked with the other Pueblos and federal agencies to prevent the Rio Grande from damaging San Juan, Santa Clara, and San Ildefonso Reservations.

Replenishing The Forests

The Albuquerque Area in 1977 began a tree seedling program for reforestation of a fire-ravaged timber area on the Mescalero Reservation in the mountains of central New Mexico. Small trees were grown from seed in greenhouse containers and then planted. This effort followed unsuccessful attempts at conventional reforestation, utilizing bare rootstock, in the semi-arid southwest forests. Sufficient seed for natural regeneration occurs only every seven years due to lack of moisture.

Later, a containerized seedling program was started in the entire area. The area contracted with a Milwaukee firm to analyze forest development problems and prepare projects for their alleviation. A total of 121,375 acres were found in need of reforestation.

There are now 10 operating tree seedling greenhouses in the Albuquerque Area with four more contemplated. Two crops a year are grown in each greenhouse. Following hardening, seedlings are placed in shade houses where they are kept, pending favorable planting conditions, most generally in July and August during the rainy season.

Indications are that the survival chances of containerized tree seedlings are excellent.

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The Right To Hunt

An agreement was recently negotiated by the Ute Mountain Tribe with the state of Colorado to establish hunting regulations for tribal members in the Brunot area. The Confederated Band of Ute Indians ceded the Brunot area to the U.S. in 1874.

As a result of this agreement, the Ute Mountain Tribe, in cooperation with the Colorado Wildlife Commission, is expected to have increased control in the administration of tribal hunting rights.

Silt And Sand

Santa Ana Pueblo has steadfastly opposed the mishandled dredging operations conducted by the Middle Rio Grande Conservancy District, which piles silt and sand (canal spoilage) on their lands. The tribe's persistence paid off and the conservancy district finally agreed to seek a workable solution.

In working out details for removal of silt, the Southern Pueblos Agency prepared a plan, acceptable to the tribe, that resulted in the rehabilitation of an 80-acre tract of Pueblo land. During the winter of 1979-80 some 70,000 cubic yards of silt were removed from the canal bank and hauled to the rehabilitation area. The silt was used as fill or mixed with topsoil that had been stripped and stockpiled from the rehabilitation tract. The result is that 20.7 acres of land were farmed during the 1980 season.

The Youth Conservation Corps (YCC), an eight-week work/education program, provided summer employment for about 150 teenagers at five camps throughout the Albuquerque Area. These young people worked on conservation projects and learned about the necessity of preserving the environment.

The Young Adult Conservation Corps (YACC), which is three years old, provided year-round employment for approximately 100 young people between the ages of 16 and 23.

The Jicarilla YACC camp expanded operations by establishing satellite camps at four locations in New Mexico and the Nez Perce Reservation in Idaho. Zuni YACC enrollees planted trees. Their goal is to create sufficient forest areas on the reservation to support wildlife and provide firewood for the tribe.

Tribal leaders are firm believers in both programs. They feel they are beneficial to the young people and also a boon to Indian communities.

A Tribe's Fall And Rise

Like other indigenous people across America, the Indians of Zia Pueblo are trying to preserve their culture. At the same time, they are improving their standard of living by adopting innovations from the dominant society.

Located 35 miles northwest of Albuquerque, Zia is a tribe of some 600 members. During the early years of the Spanish conquest—around 1600—the tribe was reported to have a population nine times larger than at present. Its nadir was reached in the late 1800s when the Zias nearly became extinct.

Proud of the rejuvenation of its people, Zia staged a celebration in 1980 depicting culture and tradition at the Zia Pueblo Enrichment Library.

Darkness Into Light

Amid the vastness of the Papago Reservation—second in size only to the Navajo—there are many villages without electricity. The 96 residents of Schuchuli on the extreme western edge of the reservation are participating in a project which could change all that— and make a difference in the lifestyle of countless rural communities throughout the world.

The National Aeronautics and Space Administration (NASA) installed the world's only solar cell power system at Schuchuli in December 1978. The prototype system powers a water pump for domestic supply (deemed number one priority by the villagers), 15 small refrigerators (one per family), a community clothes washer and sewing machine, and more than 40 florescent lights distributed throughout the village.

NASA closely monitors the program and plans are on the drawing board to replicate it on a larger scale at nearby Jackrabbit Village on the Papago Reservation.

Said Dr. Louis Rosenblum, Chief of the Solar and Electrochemistry Division of NASA, at the project's dedication: "There are more than three million villages without electrical power in the world today, mainly in the less developed countries. The success of the solar cell power system at Schuchuli could influence the direction taken by developing countries to satisfy the pressing energy needs of their large rural populations."

A Papago woman at Schuchuli was less enthusiastic. "There's still not enough electric power for everybody to have a television set," she noted sadly. "That's what we're hoping for. At least this is a start."

Residents of the Papago village Schuchuli store their perishable foods in solar-powered refrigerators.

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Aberdeen Area

The Missouri River Basin, stretching from northernmost Kansas all the way to Canada, is a land of corn and cattle, dry land wheat and long, hard winters. About 63,700 American Indians make their homes on 15 Indian reservations in Nebraska, South Dakota, and North Dakota. They are the plains Indians, descendants of the warriors of frontier days, and they receive federal services from the Aberdeen Area Office of the Bureau of Indian Affairs.

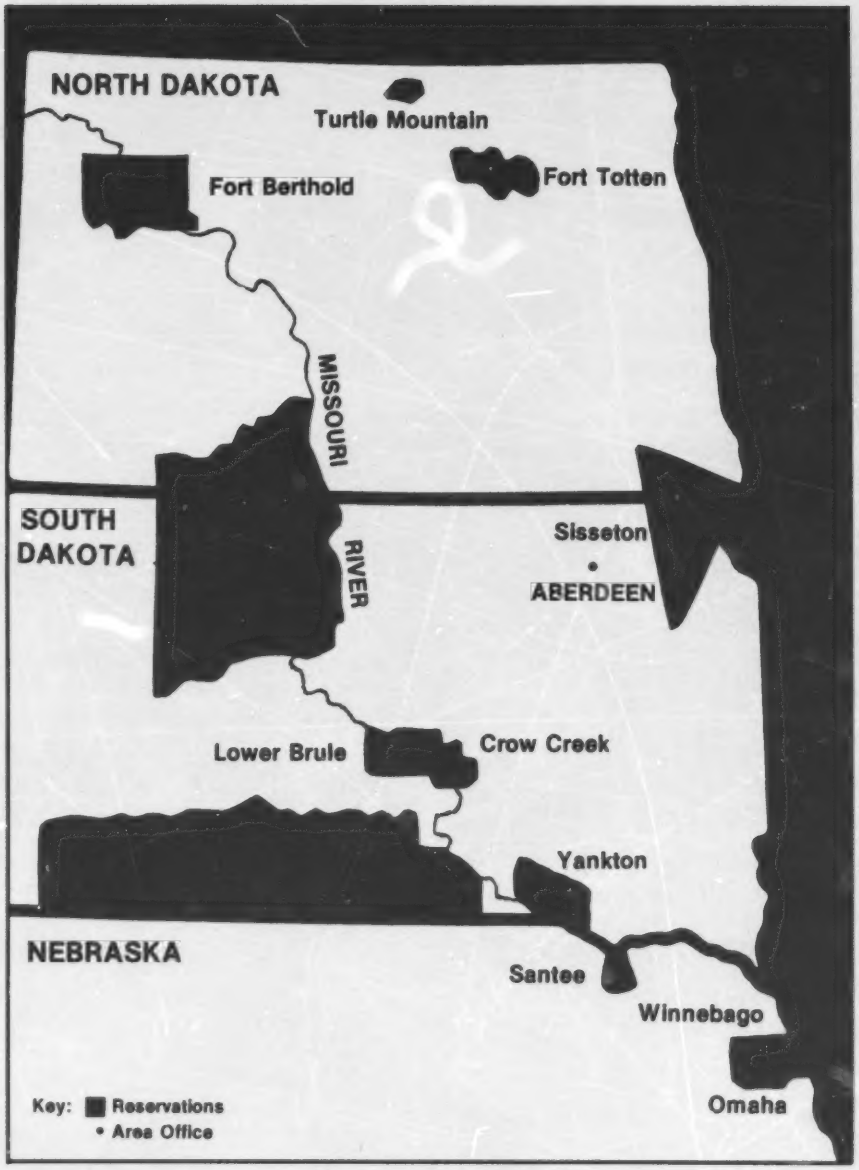
Among the tribes in the region are the Omaha, Santee Sioux and Winnebago of Nebraska; the Cheyenne River Sioux, Crow Creek Sioux, Flandreau-Santee Sioux, Lower Brule Sioux, Oglala Sioux, Rosebud Sioux, Sisseton-Wahpeton Sioux and Yankton Sioux of South Dakota; and the Gros Ventre, Mandan, Arikara, Turtle Mountain Band of Chippewa, Devils Lake Sioux and Standing Rock Sioux of North Dakota.

Following an eight-month search, Dr. Jerry L. Jaeger became Aberdeen Area Director in early fall of 1980. Jaeger, a member of the Cheyenne River Sioux Tribe, oversees the operation of 12 Indian agencies in the three-state area.

A Legal Milestone

The major new headlines generated from within the Aberdeen Area during 1980 dealt with Sioux Indian claims to the Black Hills of western South Dakota. In June, after 58 years of litigation, the U.S. Supreme Court awarded the Sioux Indians more than $105 million in compensation, one of the largest awards ever made to an Indian group.

But the Black Hills legal casebooks are not yet closed. Some tribal members have argued that $105 million is not enough. Others say that sacred land should not be sold at any price. In July, an attorney for the Oglala Sioux filed suit in Federal Court for $11 billion, arguing that the Supreme Court had not decided the case for that tribe. The suit also asked for an injunction against distribution of the award. The complaint was dismissed on September 11, but the tribe had plans for appeal.



Ways to Water

Throughout much of the midwest, long weeks of little or no rainfall in the summer of 1980 left crops stunted and livestock lean and thirsty. For Indian farmers and cattlemen in the Missouri River Basin, the drought was one of the worst in recent years. The Bureau helped secure emergency water and feed supplies for foundation livestock herds and also helped ranchers transport cattle to less parched wintering grounds in other states.

To combat drought in future years, tribes in the Aberdeen Area intend to make greater use of reservoir waters collected behind several large dams on the main stem of the Missouri River as well as underground water in glacial till areas.

About 10,600 acres of land are already under irrigation in the Aberdeen Area. The gross value of crops produced annually could total $2,750,000. With increased irrigation, specialized crops like spearmint, peppermint, popcorn, sweetcorn and potatoes could be grown on reservations and yield high profits for Indian farmers.

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In 1980, the Crow Creek Sioux Tribe secured a low-interest loan from the Farmers Home Administration (FHA) to acquire land. To date, the tribe has purchased 580 acres of irrigated land and 1,600 ares of dry farm land which could be irrigated. Their reservation had 23 irrigation systems in operation on trust land with the tribe itself operating nine systems on 960 acres. Major crops grown are corn, soybeans and milo. Fourteen other systems are leased by Indian and non-Indian operators at a $55 per acre average.

The Crow Creek Sioux Tribe has also agreed to a long-term special crop lease with Bowers Distillery of Harrisburg, Oregon. This lease includes 519 acres of allotted land and 646 acres of tribal land on which to grow peppermint and spearmint. The company intends to build a distillery to process oil from the mint crop when production reaches its peak within three years. That distillery will employ tribal members.

Two South Dakota reservations, Cheyenne River and Crow Creek, are developing livestock watering systems. Funds from BIA, USDA and the Economic Development Administration have gone towards developing high producing wells, laying and burying 64.5 miles of plastic pipe and providing 500-gallon storage tanks. Propane stock tank heaters were also placed on some winter feeding grounds.

On the Rosebud Reservation in South Dakota, 50 shallow livestock wells were drilled with drought relief funds from BIA. Windmill towers and pumps were provided by the operators, some of whom received assistance from the Agriculture Stabilization and Conservation Service.

The Aberdeen Area's Winnebago Agency assisted the Omaha Tribe in developing a rural water system in 1980. Besides furnishing water to existing and new homes, this system will provide livestock water to about 50 tracts of Indian lands, both tribal and allotted. The FHA, Department of Housing and Urban Development (HUD) and the Health Service Administration helped fund this BIA project.

Stewardship of The Soil

In the performance of its trust responsibilities in the management of Indian land, BIA requires that "an appraisal shall be made indicating the fair market value prior to making or approving a sale, exchange or other transfer of title of trust or restricted land." To meet this requirement, the Aberdeen Area Office established field appraisal offices at Martin, Winner and Mobridge, South Dakota, and at New Town, North Dakota. These branch offices also furnish fair annual rental estimates, grazing and rental rate studies and occasional land use plans.

Very little Indian land went out of trust in 1980. In fact, most reservations show an increase in their base. In 1969 in the Aberdeen Area there were 5,731,303 acres of trust land. At the end of 1979, that figure stood at 6,009,595 acres. Since 1975, two North Dakota reservations have gone into mineral leasing and development. At Fort Berthold Reservation, ninety percent of all trust land is leased for oil and gas development. Two-thirds of all trust lands at Turtle Mountain are similarly leased. Bonus bids, particularly on Fort Berthold, have been substantial.

A manpower shortage in the field has hindered the completion of soil inventories needed for planning and development. As a result, in 1980 the Bureau, with the support of the reservations' tribal councils, entered into cooperative agreements with Soil Conservation Service to accelerate soil surveys on trust land in three South Dakota counties. Inventories are in progress on Standing Rock Reservation, Cheyenne River Reservation and Crow Creek Reservation. Another cooperative agreement was initiated to complete the soil inventory on all trust land within McKenzie county, North Dakota, which is a portion of the Fort Berthold Reservation. That survey should be completed in 1981.

BIA technicians have helped several tribes in western and central North and South Dakota map lands where grasshopper pesticides may be needed. If a large hatch of grasshoppers is recorded, those tracts would be designated for aerial spraying by the USDA's Division of Animal Plant Inspection Service. Owners and users of trust property pay nothing. Non-trust land owners are assessed two-thirds the cost of spraying.

Section 6 of the Indian Reorganization Act arranged for range lands of the western Dakotas to be administered in large units. Bureau-established regulations allow Indian operators to obtain the use of range land by preference, provided that proper care and payment are maintained. About 800 Indian families and 200 non-Indian families are in the ranching business on Indian reservations in the Aberdeen Area. Their activities provide $4,970,000 in income for 19,000 Indian people and seven tribal governing bodies that own the land.

All reservations that have timber resources are experiencing a great demand for fuel wood. During the winter of 1979–80, the Rosebud Reservation realized $15,000 in income from the sale of fuel wood.

Energy Efficiency

Energy production and conservation are top BIA priorities in the Aberdeen Area. In 1980, the Bureau awarded a $27,000 contract to study the potential for steam and natural gas production from artesian wells on the Cheyenne River Reservation.

With fuel oil ever more expensive and hard to find, the BIA is switching to coal-fired steam to warm the Wahpeton Indian School in Wahpeton, North Dakota. The steam will originate at the North Dakota State School of Science directly across the street and be piped into the Indian school. The steam line

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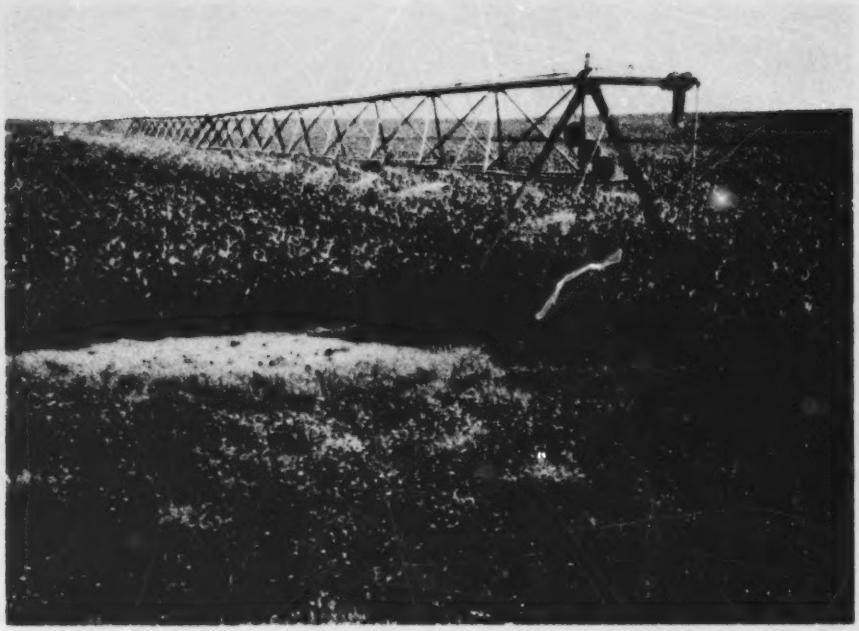

connection is expected to cost $160,000 and steam generation will cost about $140,000 annually, or about one-half as much as the school paid for oil-fired steam heat. Thus, the construction costs will be paid back to the Bureau in savings realized in slightly more than one year.

Better Businesses

Now in its seventh year, the Devils Lake Sioux Manufacturing Corporation is one of the largest and most successful Indian-owned companies in the U. S. The tribe owns 51 percent of the firm's stock and Indians make up a majority of its 353 employees. A joint venture with the Brunswick Corporation, the industry manufactures camouflage netting for the U. S. Army and carpeting for automobiles. The firm reported net sales of more than $18 million and net earnings of $1.01 million last year. Stockholder dividends were doubled for the second consecutive year.

A tribal corporation was organized in April 1980 to work with North Plains Industries (Neshem-Peterson's Inc.) and create the Turtle Mountain Manufacturing Company. Initially, the company built low-boy trailers under a government contract. In April 1980, the company also contracted with Air Vator, Inc., to build air seeders. The company expects to employ more than 100 persons by June 1981.

Roads And Buildings

Six road construction projects were advertised to Buy-Indian contractors with low bids totaling $2,187,336 and two other projects advertised with an estimated cost of $1,384,441. But on May 27, 1980, the U.S. Supreme Court ruled in *Glover Construction v. U.S. Government* that the use of the Buy-Indian Act for road construction projects is illegal. The Aberdeen Area projects must now be readvertised for competitive bids from all contractors.

Five new jail and holding facilities were constructed on the Pine Ridge Reservation at a cost of $2.5 million. Annual operating costs for all five facilities are estimated at $2.5 million.

The former Swift Bird Job Corps Center on the Cheyenne River Reservation was remodeled into a minimum security Indian corrections center and opened in summer 1979. It is designed to hold up to 60 adult inmates as an alternative to incarceration in state and federal penitentiaries in North Dakota, South Dakota, Montana, Nebraska, Wyoming and Minnesota. All programs and activities at Swift Bird are consistent with Indian tradition, culture and values. The project is reimbursed by state and federal institutions at a per diem rate of $25 per resident. Operating costs for Swift Bird are estimated at $850,000 annually.

As part of a five-year plan to upgrade Bureau facilities, Aberdeen Area buildings selected by a central office screening committee were reviewed by architectural and engineering firms. Design fees are estimated at $448,588 and the proposed construction, $6,450,000. Construction contracts were to be awarded by December 31, 1980.

Housing Gains

Under the HUD program for fiscal year 1980, the Turtle Mountain Chippewas anticipate 85 new housing units. The BIA will assist in site selections and land acquisition. The Bureau will provide appraisals of the proposed housing sites when they exceed $750 per site and provide access roads to cluster developments.

The Aberdeen Area has helped ten Indian housing authorities conduct Resident Training and Counseling Programs (RTCP). During 1980, the Sisseton-Wahpeton Housing Authority, the Aberdeen Area housing staff and the University of Wisconsin at Stevens Point worked together to produce a film for use in future RTCP training courses. The film deals with the reservation's past, present and future.

A Learning Experience

A reading workshop for 100 educators was held in June 1980 and hosted by Theodore Jamerson elementary school and the United Tribes Educational Technical school in Bismarck, North Dakota. The use of Indian cultural materials and the language-experience approach were among methods promoted at the workshop.

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The Aberdeen Area special education office serves about 800 handicapped Indian children in settings that vary from day schools and off-reservation learning centers to institutional placements for the severely handicapped. A development of major importance to all Indian students was the design and field testing of a screening process appropriate for Indian children. This process provides a realistic appraisal of Indian students who might require evaluation for a handicapped condition.

A new service was initiated in fiscal year 1980 to provide instructional materials geared to specific academic weaknesses. Such materials are not normally available in school media centers. In addition, training in teacher-made instructional tools is available. During the first year of its existence, the Instructional Materials Resource Center prepared and catalogued media and materials and shipped 669 items to Aberdeen Area schools.

The Child Protection Program of the Sisseton-Wahpeton Sioux Tribe entered into a contract with the BIA to administer the child welfare assistance program for foster care and group care effective March 1, 1980. This contract enabled the tribe to make timely reimbursements to providers for care. Since 1978, the tribe has been licensed by the state as a child placement agency. This license allows the tribe to provide social services off trust land and to non-Indian families. The tribe also developed a juvenile intervention center which offers short-term treatment to adolescents. A "rehab village" near the alcohol treatment program enables an entire family to come in for treatment when participating in the alcohol or child protection programs. The village consists of ten single family homes and a 12-unit apartment building.

Working Together For The Future

In the days ahead, Aberdeen Area tribes and BIA personnel will seek new approaches to developing land and water resources. Agriculture is the largest industry on these reservations and a concerted effort will be made to bring the Indian farmers on a par with their non-Indian neighbors. New technology will be used to accomplish this goal.

Likewise, stringent efforts must be made to protect and preserve Indian water rights. Dams along the mighty Missouri River have changed the physical complexion of the area. Immense lakes now cover what was once dusty range land. The Indians of the region are becoming increasingly aware of means of irrigating their farmlands and bringing water to their thirsty crops. The fight for water, once settled with carbines and pistols, today is waged in the court room. Working together, tribal and Bureau interests must be vigilant to the protection of this resource.

Historically, the Aberdeen Area has been the scene of considerable turmoil. The Indian wars of the plains, thought to have ended in the late 1800s, blossomed anew with the takeover of the hamlet of Wounded Knee on the Pine Ridge Reservation in 1973. Old animosities die hard and resentment continues.

Tribal leaders in the Aberdeen Area recognize the need to unite their people behind a common front to tackle the real problems which face them—the problems of poverty, and inadequate housing, and reservation unemployment. Gains have been made and tribal leadership plans to build upon the positive steps already taken.

Tribes and the BIA combat drought by drilling wells and tapping other water resources.

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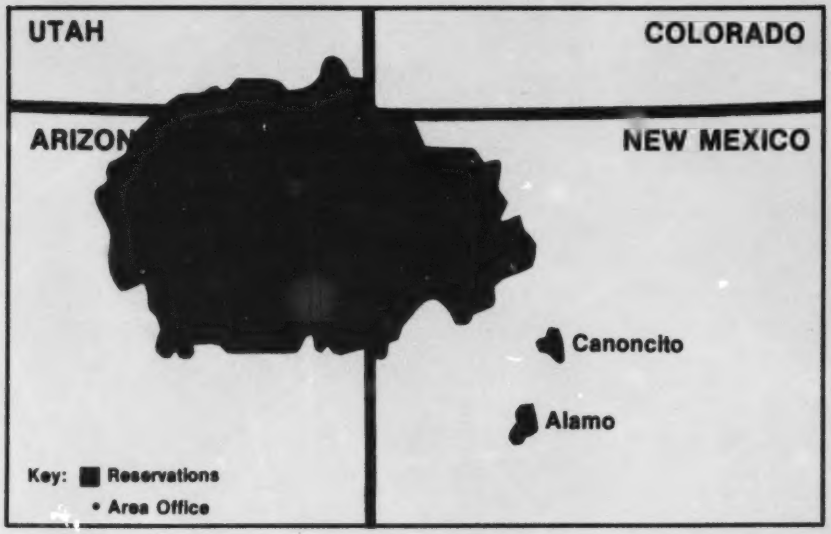
Navajo Area



Education, together with energy and natural resources development, hold the key to the future of the Navajo Nation.

With a population estimated at 160,000 and a land base of some 25,000 square miles in the three states of Arizona, New Mexico, and Utah, the Navajos are the most populous tribe in the U. S. and occupy the largest reservation.

Navajo country is a rugged land of spectacular beauty and mystic aura. High mountains—the Chuska, Lukachukai and Carizo—form a natural barrier between the states of Arizona and New Mexico. It is a land of high meadows, small lakes, steep canyons, and magnificent rock formations. Monument Valley, Canyon De Chelly, and Chaco Canyon are major tourist attractions, along with historic Hubbell's Trading Post at Ganado, Arizona.

The Bureau of Indian Affairs' Navajo Area is unique in that it is the only area office serving one tribe. Headquarters are at Window Rock, Arizona, the Navajo capital, with agency offices located at Shiprock and Crownpoint (Eastern Navajo Agency) in New Mexico, and at Chinle, Fort Defiance and Tuba City (Western Navajo Agency) in Arizona.

The Ladder of Education

The Treaty of 1868 between the Navajos and the U.S. government followed four years of exile during which time "The People," as they call themselves, suffered severe deprivations, far from their traditional homeland. The treaty established the reservation and contained certain educational commitments to the Navajo. In essence, the government promised that it would provide the teachers and the facilities if the Navajos would consent to send their children to school.

The Navajo people were slow to accept "the white man's education," and some traditionalists still don't, but education began to take hold during the 1930s when rock-masonry schools were constructed around the reservation by the Work Projects Administration (WPA). Many of these old buildings remain in use.

During World War II, many Navajos served in the armed forces and were exposed to the world outside their reservation. They became education conscious, belatedly accepting the words of Manuelito, a Navajo headman of the 1860s, who was quoted as saying: "Education is the ladder, my children. Take it."

So many Navajos wanted to attend school after the war that trailer schools had to be erected throughout the reservation to handle the influx. Many attended off-reservation schools in Oklahoma, California, Nevada, Arizona, New Mexico, Utah, and as far away as Oregon.

Additional permanent school facilities, constructed during the 1950s and 1960s, met the educational needs of the Navajo people. Today, there are more Navajo students in the public schools than in BIA schools. Improved roads on the reservation enabled public schools to extend their bus routes and serve students on a daily basis.

There are nearly 55,000 Navajo students in elementary and secondary schools on and near the Navajo Reservation, with more than 35,000 in public schools. BIA enrollment numbers approximately 17,000. Navajo students also attend mission and other types of schools.

Under the Johnson-O'Malley (JOM) program, the BIA provides funding, under contract with the Navajo Tribe, for Navajo students attending public schools. The contract for 1980 amounted to $5.3 million. The Navajo Tribe, in turn, sub-contracts with 27 public school districts in the three states and several schools that are operated by local Navajo communities on a contract basis. JOM provided services for a total of 36,675 Navajo students.

Title I of the Elementary and Secondary Education Act provides more than $7 million annually for supplemental educational benefits for Navajo students in the BIA schools. Students receive special help in reading, language, and math.

Scholarships: A Helping Hand

The BIA provides scholarship funds for the tribe's higher education program. This year, there were 2,400 Navajo students in colleges and universities on scholarships, at a total outlay of about $5 million. Another 4,300 applicants had to be turned down for lack of funds.

According to the Navajo Tribe's division of education, about 2,000 Navajos have attained bachelor degrees since the tribe assumed administration of the program in 1972, and about 40 percent of these graduates have returned to the reservation to work. More would return but for a shortage of jobs on the reservation. Unemployment has been estimated at 38.6 percent. Aside from the federal and tribal sector, there are few white-collar jobs for Navajo college graduates. Many of the more talented graduates have entered the mainstream of society off the reservation.

The accent on education has substantially increased the number of Navajo teachers in the BIA's 68 educational facilities on and near the reservation. These facilities include boarding and day schools and on and off-

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reservation dormitories in periphery towns around the reservation, where Navajo students live and attend public schools.

Of approximately 1,000 teachers in these schools, about half are Navajo. Many are teaching in schools in rural communities where they were born and raised. Most are fluent in both Navajo and English and can communicate with their students in either language.

Each of the local schools has a Navajo school board, which is advisory at the present time. They will assume greater responsibility under recently-enacted legislation (P.L. 95-561) providing direct funding from the Office of Indian Education Programs in Washington, D.C., to the local school principal and school board. This legislation gives greater control to the "'grassroots" level in the direction and administration of educational programs.

Teaching School Boards

The BIA has provided training to local Navajo school board members, looking to the day when they would administer their own schools. In recent years this contract, amounting to $570,000 annually, has been granted to the Navajo Area School Board Association (NASBA).

Many Indian adults have changed their lifestyles to conform to a rapidly-changing society. Each year, approximately 200 adults receive their General Education Development diplomas (GEDs)—the equivalent of a high school diploma—through the BIA's adult education program, which works with 70 communities on the reservation.

Under the Indian Self-Determination Act, tribes are assuming administration of programs previously performed by the BIA. Nowhere is this more evident than in the Navajo Nation. In fiscal year 1980, the Navajo Area provided about $70 million to Navajo tribal entities through some 200 contracts or grants. Contracts range downward from a $14.5 million program which provides general assistance to approximately 20,000 people per month. The tribe has expressed its intent to contract additional Bureau services in the years ahead.

Richness Of Resources

The Navajo Nation's vast reserves of coal, uranium, oil, and gas are in great demand by the American people. "As a nation within a nation our people have been rediscovered through the richness of our resources," Chairman Peter MacDonald said at the 1980 spring session of the Navajo Tribal Council.

MacDonald heads the Council of Energy Resource Tribes (CERT), made up of Western tribes seeking to control the development of their natural resources. These tribes recognize that they have something the rest of the nation needs and they are determined to get a fair return on the extraction of minerals.

At the 1980 spring session, the Navajo council passed a sweeping new energy policy aimed at giving the tribe control over energy development on the reservation. It approved the creation of the Navajo Energy Development Authority and declared a moratorium on all new energy development until MacDonald and the tribe's division of economic development complete a series of reports cataloging and analyzing the tribe's energy resources.

MacDonald said the new energy policy is "leaning towards tribal control of every aspect of energy management and development. The policy will determine when and how this development should take place, and be able to regulate the activities of the mine, including our own

A traditional Navajo hogan.

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requirements for reclamation, pollution control and environmental protection."

The Bureau of Indian Affairs is assisting the Navajo Tribe in the latter's attempt to renegotiate mining leases from which the tribe feels it is not getting a just return.

Major mineral development is taking place in the San Juan Basin of northwest New Mexico, and much of this development is on Indian land.

Paddy's Discovery

A Navajo sheepherder named Paddy Martinez discovered uranium in 1950 near Haystack Mountain northwest of Grants, New Mexico. His discovery led directly to the $3 billion uranium mining and milling industry which today stretches more than 100 miles along Interstate Highway 40 in western New Mexico.

Mobil, Phillips, Exxon, and United Nuclear, among others, are engaged in uranium mining activity in the Crownpoint area of the reservation. Mobil Oil Corporation, after nearly a year and a half of delay, began a pilot *in situ* project to determine if solution mining was economically and environmentally feasible in the deep ore bodies in this area.

The process removes uranium ore from its host rock while the uranium is "in place" underground. Chemicals are pumped into the ore body and recovered by deep wells. In place solution mining would alleviate many of the environmental problems facing mining companies. There are also fewer health hazards since *in situ* mining does not require employees to work underground, and it eliminates the major sources of radiation exposure.

Mining activity has provided needed jobs in an impoverished area. But the boomtown activity has had an adverse impact on the traditional lifestyles of the Navajo people.

In July of 1979, the tailings pond dam ruptured at United Nuclear Corporation's Church Rock mine and spilled millions of gallons of radioactive materials into the Rio Puerco, a river that flows through several Navajo communities. A year and a half later, state and federal officials still were unable to assess the environmental and health questions posed by the spill.

Numerous suits have been filed in Navajo tribal courts against the uranium company on behalf of individuals who live along the river. These suits are one more potential economic problem for United Nuclear, which has been hurt financially by the cost of the spill, coupled with declining uranium prices and increasing production and severance tax costs.

Navajo livestock growers complain of trespass, tearing down of fences, loss of livestock, and pollution of the water supply as a result of mining activity. A pending lawsuit would halt all mineral development in the Crownpoint area. The suit was brought against the Department of the Interior and other federal agencies alleging failure to comply with the National Environmental Policy Act.

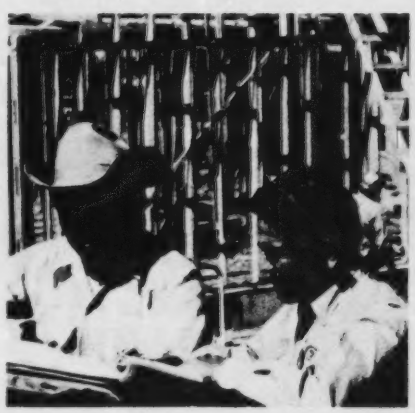
Navajos on Black Mesa, in the Arizona portion of the reservation, fear depletion of the underground water supply as the result of coal mining operations by Peabody Coal Company. Peabody uses water to slurry coal to the railrod six miles away.

Confrontations hindered Consolidation Coal Company from starting a coal strip mine at Burnham. Shiprock residents have complained for years about the pollution plume emanating from Arizona Public Servce Company's Four Corners Power Plant, dense enough to be seen by astronauts in space.

Despite opposition, mineral development seems certain to continue, and accelerate. The Navajo Tribe as a collective, must have increased revenue to provide services for a growing population; individual Navajos want jobs to support themselves and their families.

The Navajo Indian Irrigation Project

The Navajo Indian Irrigation Project has been under construction since 1964 on reservation land in northwest New Mexico. Four of 11 blocks of farmland, each consisting of 10,000 acres, have been completed and placed under irrigation, growing alfalfa, pinto beans,



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and winter barley. When completed, the ambitious project is expected to encompass 110,630 acres and will be irrigated with water from Navajo Reservoir on the San Juan River. The project is being constructed by the Water and Power Resources Service and the Bureau of Indian Affairs and operated by Navajo Agricultural Products Industry (NAPI), a tribal enterprise, with technical assistance from Ball Agricultural Systems, a division of Ball Corporation of Muncie, Indiana.

Tribal Enterprises

Navajo Forest Products Industry (NFPI) has been hurt by a depressed lumber market. Even so, this 18-year-old business has met all of the criteria for a successful enterprise on an Indian reservation. It has made a profit using a renewable resource, the 400,000 acre Navajo Forest. Some 600 persons, nearly all of them Navajo, are employed in the forest and in the mill. NFPI General Manager Robert W. Mosby expects the enterprise to "bounce back" when the housing market improves.

Navajo Tribal Utility Authority (NTUA), established in 1959 to bring electricity to the reservation community of Shiprock, has in recent years expanded its power lines into remote areas of the reservation. The BIA subsidizes power extensions when a Bureau school is involved, and it is presently paying most of the cost for extending a power line from Pinon to Low Mountain. Navajo families living along the right-of-way can tie onto the line, but most homeowners have found the cost prohibitive.

The Bureau is engaged in a continuing effort to restore overgrazed rangelands. In the Shiprock Agency, all of the livestock — 450 sheep and 100 cattle — were removed from the Garnenez Management Unit during the growing season this year, and placed in a feedlot. A similar effort was undertaken on the Austin-Yellowhair Range Management Unit in the Western Navajo Agency.

The BIA helps the Navajo people make good use of their water resources. The Fort Defiance Agency assisted in the construction of an irrigation system that will serve most of the people in the Red Lake chapter area, diverting water from Red Lake for their alfalfa, corn, squash, and pasturage. A similar effort has gone on for years in the Chinle Agency, tapping the water from Many Farms Lake for farmers in the Chinle Valley.

The time and trouble that the Navajo must expend to find quality water — for drinking and domestic use and for his livestock — would be unimaginable to other Americans. Much of the water is highly mineralized. Most Navajo families have to haul their drinking water, sometimes traveling many miles to do so.

The tribe drills water wells and constructs windmills. Benjamin Tso, a supervisor of tribal water and sanitation in the Eastern Navajo Agency, said the cost of drilling a well and erecting a windmill ranges from $8,000 to $10,000. Wells are sometimes as much as 2,800-feet deep.

The Dilemma Of Two Tribes

The 1974 Navajo-Hopi Land Resettlement Act (P. L. 93-531) attempted to resolve a dispute between the Navajo and Hopi Indians over 1.8 million acres of land in Arizona, commonly referred to as the Joint Use Area. Following a federal court ruling that the tribes had equal rights in the area, the Act ordered the partitioning of the land and the relocation of tribal members, including about 6,000 Navajos living on the Hopi side of the partition.

This legislation sparked bitter opposition from the Navajo Tribe. Most of the Navajo families slated for relocation are traditional people closely tied to their land. The Resettlement Act was amended in 1980 to give some older Navajos the right to remain in their homes and provide for tribal acquisition of land for relocation purposes.

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Anadarko Area

The American Indian Exposition at Anadarko, Oklahoma, attracts thousands of visitors each August who brave the 100-plus temperature and the red topsoil of western Oklahoma blowing in their faces. This exposition in the "Indian Capital of the World" is to the people of Anadarko what the Oklahoma Sooners are to the people of the state. Representatives from hundreds of tribes across the nation attend. Each year, an "Indian of the Year" is honored. One of the more recent honorees was the late Jay ("Tonto") Silverheels.

Among the visitors are representatives of the 22 tribes served by the Anadarko Area Office. Housed in a modernistic building a mile north of town, the Anadarko Area Office provides services to tribes in western Oklahoma and Kansas. Total membership for the 22 tribes in 1980 was 58,669. Five agencies assist them in receiving services. Agency offices are located at Horton, Kansas, and at Pawnee, Concho, Shawnee and Anadarko, Oklahoma. The Kansas tribes are the only ones in the area with existing reservations.

Pursuing Progress

The leaders of these tribes are called by different names—chiefs, presidents, chairmen, chairpersons (for the women leaders)—but they share one thing in common. All are progressive. They pursue joint projects funded by the Economic Development Administration (EDA) and the Bureau of Indian Affairs. For example, the Kiowa, Comanche, Apache Tribes lease an office to the Anadarko Agency while the Area Office leases its offices from the Wichita, Caddo, and Delaware Tribes. Other such funded projects exist throughout the area.

They have used Public Law 93-638 (Indian Self-Determination and Education Assistance Act) to take over their own affairs. In 1980, area tribes had 130 contracts, totaling more than $4 million, including Johnson-O'Malley (JOM), which provides supplemental educational benefits for Indian students attending public schools. P. L. 93-638 funds have been used to provide training and technical assistance and to develop management guides and handbooks for tribal members.

The tribes work together. Many belong to the United Indian Tribes of Western Oklahoma and Kansas, which is headquartered in Shawnee. Others participate at annual meetings of the National Congress of American Indians (NCAI) and the National Tribal Chairmen's Association (NTCA).

School Closings Protested

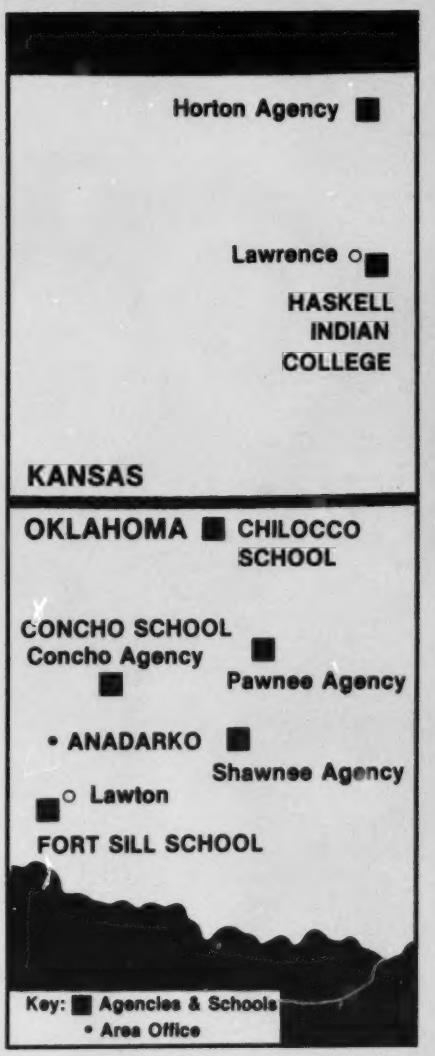
Several have formed groups that function within the jurisdictional areas of their respective agencies. These groups can get very active during a crisis as witness their vigorous protests this year against the closings of both the Chilocco and Fort Sill Indian schools, each over a hundred years old. The BIA closed the schools because of budget considerations. That left the area with only two BIA schools—Concho, an elementary school, and Riverside, a secondary school.

Tribal buildings, tribal complexes, housing projects, road projects, special centers for the young and old, and small convenience stores and service stations are the results of tribal endeavors. Their increasing independence has brought about a better working relationship with non-Indian communities.

Like tribes across the country, the greatest assets for the 22 tribes of the Anadarko Area are their natural resources—their water, land, and minerals. A recent edition of *U.S. News and World Report* pinpointed Anadarko as the "center of oil discovery and production in the decade to come." As oil and gas discoveries continue, the area takes on a "boomtown" appearance. Plans for water use, both by the state of Oklahoma and by the federal government, involve water on lands owned by Indians.

From Red To Black

The Absentee-Shawnee Tribes of Shawnee Agency overcame financial management problems to become one of the top landlords in Pottawatomie county. The tribe leased some 29,000 square feet of office and warehouse space to 12 different tenants and recently invested $100,000 as a sign of its success.



Good Management

The 300-member Fort Sill Apache Tribe dedicated a $200,000 tribal affairs building on October 4, 1979, and the tribe's handling of its affairs was commended by W. V. Battese, Superintendent of the Anadarko Agency. "The tribe's successful program accomplishments, accurate financial accountability and thorough reporting system to its members and to funding agencies is an example of what Indian self-determination is intended to achieve," Battese said.

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Farming And Ranching

The Kickapoo Tribe of Oklahoma is making money growing tomatoes by hydroponic farming. The tribe plans to add four to six more hydroponic shelters and will raise ornamental plants for households. Plans call for a nursery specializing in various kinds of trees and shrubs. Through farming and ranching, the Kickapoo Tribe in Kansas is one of the area's most progressive tribes. The tribe owns 3,200 acres of land, including a 900-acre farm, and purchased $323,000 worth of farming equipment through an EDA grant.

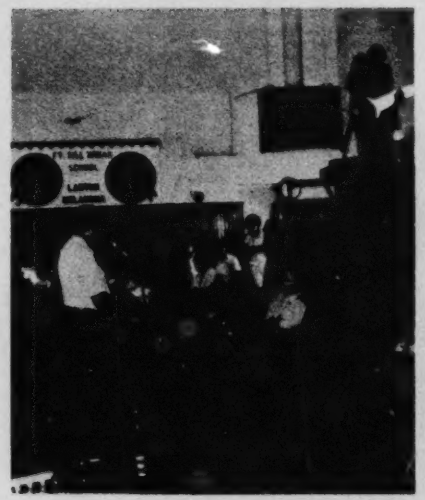
Starting with 50 head of beef cattle and two registered bulls, the Kickapoos of Kansas now have 375 brood cows and nearly 300 calves. Their goal is to have a brood herd of 500, not including calves and yearlings. They are studying the possibility of building a meat-packing plant and a gasohol plant.

Along with mineral development, the Cheyenne-Arapahoe Tribes of Oklahoma have hydroponic and regular farming projects, and the Pawnee Tribe put the Pawnee Agency into a tribally-owned and refurbished office building.

Enforcing The Law

In 1977, the state of Oklahoma, in the case of *U.S. v. Littlechief*, ruled that the state had no jurisdiction over offenses committed in "Indian Country", i.e., trust or restricted allotted lands. This left a vacuum in law enforcement and made imperative the creation of a court and law enforcement system for the Anadarko Area. Criminal investigators at each agency and an area special officer have strengthened law enforcement. A chief magistrate and three associates head the court system with prosecutors providing their services through various offices, organizations, and universities. In its first year, the court handled approximately 188 criminal cases, 38 civil cases, and 37 juvenile cases.

During fiscal 1980, judgment awards, dividend payments, and annuity payments were paid to seven of the area's 22 tribes. The Kickapoo Tribes of Oklahoma and Kansas, the Caddo Tribe of Oklahoma, and the Fort Sill Apache Tribe of Oklahoma received judgment awards while the Cheyenne-Arapaho Tribes of Oklahoma and the Sac and Fox Tribe of Missouri received dividend payments. An annuity payment went to the Pawnee Tribe of Oklahoma.



Moving Functions To Grassroots

Anadarko Area's future will center around improving the delivery of services to its Indian clients and one way it is doing this is through reorganization. Anadarko will no longer rely on the Muskogee Area for administrative housekeeping functions.

Agency installations and their components will become more involved as Area Office responsibilities are shifted to the agencies. Indvidual Indian Monies (IIM) will soon be totally shifted to the agencies and computer systems will be incorporated into agency record-keeping functions. This should improve the delivery of services and get the action down to the "grassroots" level. Anadarko Area and its installations will continue to support the tribes on the road to self-determination.

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Billings Area

The Billings Area Office, in the heart of Montana's "Big Sky Country," serves almost 50,000 Indians on eight reservations, seven in Montana and one in Wyoming. The more than seven million acres that are held in trust are crucial to the tribes and to the economy of the area. Critical water resources originate or course through these reservations in the midst of a region that constantly thirsts for more water. These reservations also sit atop some of the nation's most extensive proven mineral and energy reserves.

For some time, the principle of Indian self-determination has guided program direction in the Billings Area. Programs such as law enforcement and education have increasingly come under tribal control. But it was not until the last few years, however, that the tribes truly began to assert authority over energy development. In 1980, Public Law 93-638 self-determination grants and contracts were operating on all the reservations, dealing with every type of program within the service and resource management areas of the Bureau's responsibility. There were a total of 48 contracts totaling $9,850,000 for fiscal year 1980.

Billings Area tribes are seizing opportunities to shape ventures that will trigger a sharp rise in tribal income. The median per capita income for Indians in the area is less than $800 per year. But resource development may soon boost that figure significantly. A coal agreement signed by the Crow Tribe could eventually increase that tribe's per capita income to more than $4,000 per year. The Northern Cheyenne Tribe's contract with Atlantic Richfield Company brought payments of $1,200 to each member. Oral auctions of mineral assets on the Fort Peck and Blackfeet Reservations are projected to increase income from mineral estates as much as ten-fold.

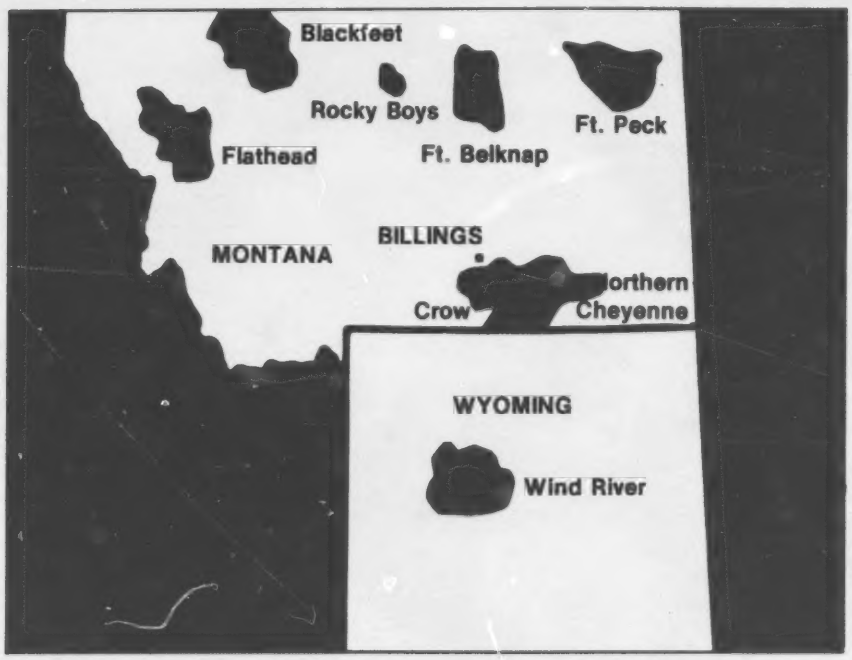
When they began their negotiations, the Crow Tribe and the Shell Oil Company started with a 32,000-acre lease that committed an estimated 1.4 billion tons of coal for "as long as it could be profitably mined" in the judgment of the developer. The Crows contested the lease in court and in January 1980 the tribe reached an agreement which insures considerable control and lasting benefits to the tribe for as long as there is development. Shell will have one mine at Youngs Creek, Montana, for a fixed tonnage and a fixed term (235 million tons for 40 years.) All remaining acreage involved in the contested lease was returned to the tribe.

Options for additional mines are conditioned on performance. Before production begins the tribe will receive an advance payment of $12 million with guaranteed royalty payments to follow of no less than $3 million per year. If Shell exercises an option for additional mines, the tribe will have a simultaneous option to enter into a "joint venture" to share in profits or continue the royalty arrangement. Tribal members will receive four Shell-sponsored college scholarships each year for ten years as well as Indian preference in hiring and contracting for mine operations.

The new lease resulted in a dramatic increase in cash-flow to the tribe and its members. Contrary to pessimistic forecasts, there was relatively little abuse of the money obtained through per capita dividends. That money helped members catch up on mortgage and rent payments. It relieved pressures to sell allotted lands and promised to help tribal members redeem additional acreage.

The oil and gas agreement between the Northern Cheyenne Tribe and Atlantic Richfield Company (ARCO) granted the tribe a $6 million bonus and 25 percent of production. ARCO will also provide $50,000 per year for a tribal oil and gas administration office. Negitiations leading to the agreement split the tribe into factions and it was returned to the tribe for a referendum vote before final approval.

The Fort Peck Reservation held an oil and gas lease sale in December 1979 that resulted in 246 new leases and a total bonus to the tribe in excess of $6 million.



Water Power

Livestock, timber lands and farming continue to provide the economic base for most of the tribes and their members. This base is expanding and developing, placing new demands on the region's

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water supplies. Inventories projecting water needs 30 years into the future have been completed on all but the Flathead Reservation and that study should be completed in 1982. Several water rights suits were filed with technical data and support from the Bureau. The Crow and Cheyenne Tribes filed in federal court in 1975 and other Montana tribes followed in 1979.

For the most part, however, those suits have been stopped short. In Wyoming, the federal courts ruled that water rights issues must be settled in a state legal forum. Similarly, the Montana state legislature passed the General Water Adjudication Act, directing that all water resources, including those on the seven Indian reservations, be adjudicated through state judicial systems. While the Bureau and tribes have strongly objected to this move, there is keen interest in the second section of the Act which provides for a water compact between the state and the tribes.

A contract is now in progress to design, program and install a computer-assisted irrigation management system for the six irrigation projects and one power project in the Billings Area. Flathead and Wind River Reservations are already using the computer systems.

On the Fort Belknap Reservation, the tribe is replacing the old rock-filled, timber crib dam structure that was constructed about 1900 and which has deteriorated over the years. The replacement dam will be a concrete arch weir. Construction funds have been approved in the amount of $1.7 million.

Plans and specifications for the rehabilitation of Bonneau Dam on the Rocky Boy Reservation have been completed and designs are being reviewed. The work will require the replacement of an outlet gate, the placement of rip-rap on the face of the dam and repair of the spillway. This dam stores water for the irrigation of a farm operated by the Chippewa-Cree Tribe.

Melanie Tallmadge, Miss Indian America of 1980, with U.S. Senator John Melcher of Montana, Chairman of the Select Committee on Indian Affairs.

Jockeying For Jurisdiction

In 1978, the U.S. Supreme Court held in *Oliphant v. Suquamish* that Indian tribal courts do not possess inherent criminal jurisdiction over non-Indians. As a result, tribal courts are not authorized to try or punish non-Indians for violations of tribal codes. Yet minor offenses like speeding by non-Indians are cause for concern by reservation residents and officials.

Ironically, in more and more cases, tribal judicial systems are being required to assert jurisdiction for some major crimes because the crowded federal court dockets are having difficulty handling all the necessary cases. Minor felony cases such as larceny, burglaries and some assaults are being referred back to tribal courts by the U.S. Attorney's Office. Not all tribal courts are capable of handling major crimes. Many do not have comprehensive codes or the judicial structure to handle the increased workload or the proper facilities in which to house offenders.

Several Montana tribes have enacted resolutions which, in effect, prohibit the extradition of Indians who commit crimes off-reservations. The resolutions prohibit the tribal courts from returning the offenders to state authorities unless the state agrees to, in exchange, return an offender of tribal law back to tribal jurisdiction. These tribal ordinances have not been tested in the courts.

Billings Area tribes are proposing amendments to their constitutions to gain more control over other governing activities. Other proposed changes are geared toward the changing times, such as the move within some tribes to lower the minimum voting age from 21 to 18

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years of age. Seven of the nine tribal governing bodies in the Billings Area conducted tribal council elections during fiscal 1980.

The Montana Inter-tribal Policy Board is a case study in cooperation and coordination. The group, representing all Montana tribes, meets monthly to work with state, local and federal agencies in addressing Indian-related situations. Among recent accomplishments have been the establishment of a newspaper, the opening of a halfway house for former prison inmates and the creation of a museum. Other efforts have taken place in the areas of taxation, jurisdiction and drug abuse.

Land, Housing and Jobs

The Farmers Home Administration (FHA) funds a loan program for land purchase by Indian tribes which has been instrumental in keeping reservation lands in trust ownership. It has eased fractionalization and consolidated the reservation land base into more economical units. The Blackfeet Reservation has borrowed $3,891,000 with a $2 million application pending. Crow received $4,548,000 and hopes to borrow $3 million more. Northern Cheyenne obtained a $250,000 loan while the Wind River Reservation has borrowed $1.5 million with another $1 million loan in the offing.

Farmers and ranchers at Fort Peck have borrowed $5,101,500 with a $898,500 application pending. With drought conditions in eastern Montana as bad as they have been in 40 years, loan clients at Fort Peck will find it hard to stay in business.

A $15 million cut in Indian Health Service water and sanitary facilities funds will adversely affect the BIA's housing improvement efforts in the Billings Area. Fund reductions have already hampered the start of 275 housing units and a projected $16 million cut in IHS funds is sure to undermine the housing program in 1981.

The BIA sponsors the Young Adult Conservation Corps on the Flathead, Northern Cheyenne, Crow and Fort Peck Reservations. More than 200 young people, ages 18 through 24, participate in the program.

Portland Area

The Portland Area includes the Pacific Northwest states of Oregon, Washington and Idaho, renowned for their diversity of resources and abundance of natural beauty.

The Northwest is characterized by superlatives. The region's softwood forests are the world's most productive. Puget Sound in northwestern Washington—with more than 4,000 miles of shoreline—and the magnificient Columbia River are two of the world's most significant water resources. They produce the world's largest runs of anadromous chinook salmon and steelhead trout. They also constitute one of the most important Pacific coast port areas for waterborne commerce. The Columbia River provides the hydroelectric backbone of the world's largest coordinated energy system.

Tribal lands and cultures reflect the region's diversity. For example, the Makah Indian Reservation is located in the lush rain forest of the Olympic Peninsula at the northwesternmost point of the coterminous United States. The Yakima and other reservations are in the arid steppe of eastern Oregon and Washington. The home of the Kootenai Tribe is the forested Idaho Panhandle near the U.S.-Canadian border. The recently restored Confederated Tribes of Siletz Indians have their reservation on the central Oregon coast.

Indian reservations within the Portland Area encompass nearly four million acres of trust land. They range in size from a few acres to more than one million acres each on the Yakima and Colville Reservations in eastern Washington. Tribes served range in population from fewer than 100 to more than 6,000 enrolled members. More than 43,500 Indian people live on or near reservations, distributed among 33 federally recognized tribes, bands and groups.

The Portland Area is subdivided into ten agencies, one independent irrigation project—the Wapato Project on the Yakima Reservation—and one Indian boarding school—Chemawa—located in Salem, Oregon.

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Working Together, Side By Side

A productive tribal/Bureau partnership distinguishes this area. It is a working relationship in which tribal governments have a role in developing programs at both the area and agency levels to improve services to Indian people. During fiscal year 1980, for example, at the direction of the Commissioner of Indian Affairs, the Area Office reviewed its programs and functions relative to the Bureau's management improvement project. The review team consisted of four tribal council members, two agency superintendents and area representatives.

This team determined functions that could be redelegated from the Area to the agency and steps were taken to carry out the recommendations.

The creation of a new agency in Hoquiam, Washington, demonstrated the benefits of this partnership. Tribal governments identified the need for an additional agency to better serve the needs of Indian people on Washington's Olympic Peninsula. A Bureau study supported this need and determined that the new agency would not require increased personnel and would reduce travel time and cost, thereby increasing staff time available for delivery of services.

Similar management improvements were initiated and/or completed on the individual tribal level. Progress was made in the areas of grant and contract management, financial and property management and record keeping. These activities ranged from the institution of basic accounting procedures by some of the smaller tribes to installation of sophisticated computer information systems by larger ones. The Bureau assisted these tribal initiatives with training and technical assistance funds and with Area Office and agency personnel support.

This active working partnership between the tribes and Bureau was perhaps most evident in the area of tribal renewable and nonrenewable natural resources which are at once the foundation of the economic and cultural well-being of Indian people served by the Portland Area Office.

Cultivating Forestry Expertise

Forestry is the largest single program in the Portland Area. Forested trust properties annually produce more than 500 million board feet of timber worth approximately $94 million to Indian owners. Warm Spring tribal forests, for example, cover some 400,000 acres, of which 366,000 contain commercial stands with a total volume of an estimated 5.5 billion board feet. Yakima forests contain an estimated 7.3 billion board feet at various stages of growth.

Seventy percent of all Bureau forestry programs nationwide are handled out of the Portland Area. The branch of forestry provides assistance to other area offices and agencies within the Bureau in design of forest management systems and collection and analysis of data.

The Area Office assists the tribes in developing forest management plans and reviews agency-level forestry programs. A forest economist provides technical assistance to tribal forest enterprises, including analyses of employment needs, resource opportunities and cost effectiveness of forest programs funded by the federal government. The aim of these services is to enhance the tribes' abilities to be self-governing and develop their natural resources. Important by-products include tribal income, Indian employment and career development. The Portland Area has a pilot forestry intern program providing young Indians opportunity to prepare for careers in forest resource management.

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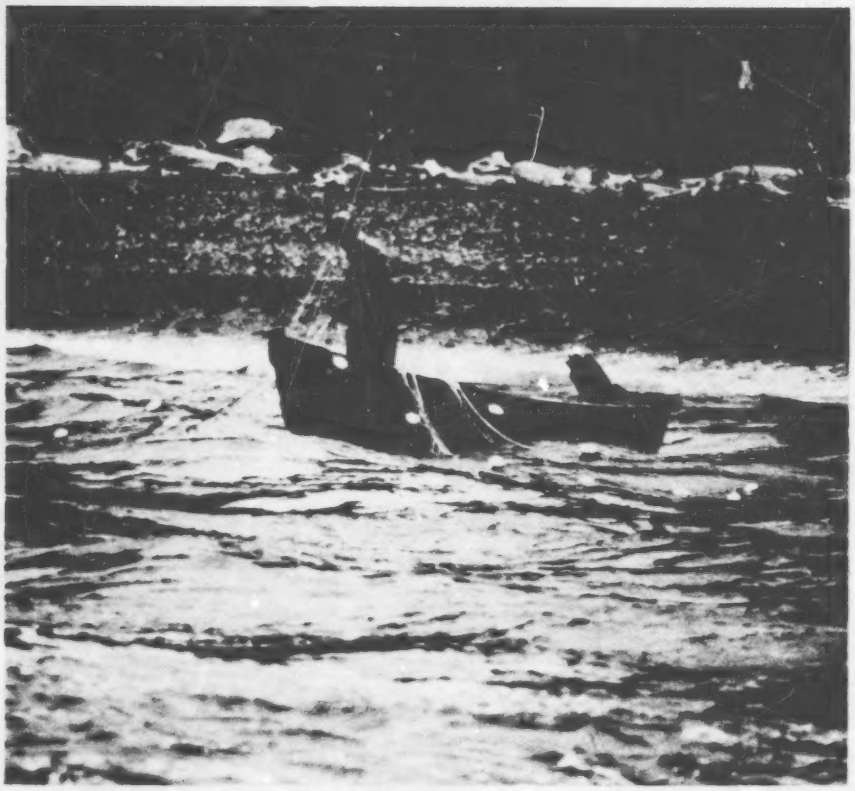

Indian Fishing Rights Reaffirmed

The anadromous salmon and steelhead trout of the Pacific Northwest have been the key resource of many Northwest tribal cultures since time immemorial. The efforts of Indian people to protect and exercise their precious treaty fishing rights have met with much controversy and occasional violence.

After years of litigation, Indian treaty rights were reaffirmed in the federal courts and upheld by the U.S. Supreme Court.

The Area Office participates in a multi-million dollar cooperative program aimed at enhancing the salmon and steelhead supply. Two inter-tribal fish commissions—the Northwest Indian Fisheries Commission centered at western Washington, and the Columbia River Inter-Tribal Fish Commission focused on the Columbia River Basin—provide to member tribes technical support services and liaison with non-Indian fishery management groups.

Northwest tribes have developed several major initiatives to restore the productivity of natural salmon and steelhead runs depressed by environmental damage. In addition, tribes are expanding their artificial propagation programs to enhance the fishery resource for the benefit of all fishermen—Indian and non-Indian. Nineteen hatcheries are in operation. Two more are under construction on the Makah and Tulalip Reservations and additional facilities are planned on several other reservations.

Mining The Minerals

Two reservations within Portland Area jurisdiction have major mineral recovery operations. A phosphate mine on the Shoshone-Bannock's Fort Hall Reservation in southeastern Idaho has been in operation for many years. The Spokane Reservation in eastern Washington has a major uranium mine.

A large-scale copper-molybdenum mine is planned on the Colville Reservation in eastern Washington. The proposed Mount Tolman Project would be an open pit mine on tribal lands near Keller, Washington. Reserves of mineral-bearing ores are estimated at 900 million tons. Recovery operations are expected to remove 1.7 billion tons of overburden and ores over a period of at least 40 years.

The proposed Mount Tolman Project is significant not only for its mineral potential but also because of the unique business arrangement between the Colville Tribe and the AMAX mining company.

The tribe is to provide all mineral-bearing land. AMAX has provided all funds for exploration and testing, and, if mining is initiated, will fund all production activities. Both parties will share the profits after an initial pay-back of capital investment. The tribe will receive a guaranteed minimum income at all times.

The tribe, the Bureau and the mining company are working to insure that any mineral development has the least possible impact on tribal culture and lands. The Bureau is assisting in the development of an environment impact statement (EIS) on the proposal; the tribe has been officially designated as a cooperating agency in EIS preparation.

Tribes Eye Water Involvement

Water and energy are virtually synonymous in the Pacific Northwest. The Columbia River Basin contains the world's largest coordinated hydroelectric system, which is of international renown. Less well known outside the region is the crucial role that water resource development plays in sustaining the area's productive agricultural economy.

The Northwest is often characterized by the verdant coastal area which, in northwestern Washington, contains true rain forest. But in fact, the vast majority of the lands and Indian peoples within Portland Area jurisdiction are east of and within the rain shadow of the towering Cascade Mountains. To be productive for agriculture, these semi-arid to arid areas require irrigation, and that means water development on a grand scale.

Contemporary water resource planning in the Northwest proceeds without direct tribal participation. The Bureau assists the tribes in monitoring the water resource activities of state and

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federal agencies. An Indian observer sits as a non-voting member of the Pacific Northwest River Basins Commission, a state-federal regional planning body.

More direct and expanded Bureau/tribal involvement in regional water use planning is one of the highest priorities within the Portland Area.

Several reservations within the Portland Area have potential for low-head hydroelectric generating factilites. The Warm Springs Tribe has embarked upon a major hydroelectric development project on the Deschutes River in eastern Oregon. The Portland General Electric Company built the Pelton re-regulating dam in 1956. The tribe reserved the right to install electric generating facilities if and when feasible. Detailed investigations subsequently documented the project's feasibility. The tribe appropriated $10 million of the project cost, the Bureau loaned the tribe $5 million for 20 years, and an additional $11 million will be raised through the sale of bonds.

The Pelton re-regulating dam generating facility project is significant not only for the amount of electrical energy it will produce, but also for the precedent set for other tribes that aspire to this cooperative funding approach.

Supporting The Schools

The Portland Area Office distributes funds and direct services to nearly 900 students attending the Chemawa Indian Boarding School and seven tribally-operated schools. The office also administers $1.7 million for special services to Indian children in 67 public school districts.

In education, tribes within the Portland Area exercise their right of self-determination to a significant degree. Educational program development is a cooperative effort among the tribes and the Bureau. This partnership approach has led to the development of Indian-initiated education programs that are, in many cases, unique to the Portland Area.

The Bureau's education staff is decentralized. Staff is located at the Area Office, most agencies and Chemawa School. The Area Office is responsible for overall monitoring and direction; most program responsibility is delegated to the reservation level. Agency-level Bureau personnel are involved in both the delivery of direct educational services and in providing technical assistance for numerous tribal education-related contracts.

Reservation-level education programs administered by the Bureau include direct services and technical assistance in Johnson O'Malley programs, higher education scholarships, adult education, seven tribally-contracted schools, learning centers, summer education and recreation programs, handicapped educational services, Title I ESEA (Elementary and Secondary Education Act) and Title IV support programs. These programs and services are administered by 35 Area Office and agency staff positions and in FY '80 had a total budget of more than $9.5 million.

Enterprising Efforts

Tribes served by the Portland Area Office are engaged in a variety of successful business enterprises. The Bureau assists the tribes with financial management and with marketing.

The Shoshone-Bannocks opened a new shopping center on the Fort Hall Reservation in 1977. It has already developed into one of the most successful enterprises owned and operated by an Indian tribe on an Indian reservation.

Other tribal business ventures within the Portland Area include the Yakima Tribe's Mount Adams furniture factory; the Warm Springs' Kah-Nee-Tah resort lodge; oyster culture on the Lummi Reservation; a metal products fabrication plant on the Kalispel Reservation; and a tree nursery on the Colville Reservation. Recreation and tourism hold promise of becoming a major focus of economic development for many tribes.

The close working relationship between the Bureau and the tribes in the Portland Area has brought significant progress in recent years. But problems remain, many issues are unresolved and pressing challenges confront the Indians of this area. Continuing improvements must be made in both Bureau and tribal management to better serve Indian people. Resources must be developed to assist economic development. New demands must be met in the areas of forestry, fishing, water resources and rights protection. These are all challenges that must be addressed cooperatively by the Bureau-tribal partnership in this area.

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Juneau Area

The Aleut word is "Alyeska"—the Great Land—and the nation's 49th state lives up to that name. Its 586,000 square miles stretch across magnificent as well as forbidding landscape. In this country of majestic mountains, virtually impenetrable forests, craggy volcanic islands and seemingly endless Arctic stretches, live the more than 72,000 Indians, Eskimos, and Aleuts served by the BIA's Juneau Area Office.

Providing services to Alaska natives presents challenges as diverse and interesting as the land itself. The five agency offices serve a varied clientele. Anchorage works with the integrated groups in the state's largest city, the Aleut population along the island chain and Athabascan Indians of the interior. Bethel and Nome deal principally with the Eskimo population of coastal and island villages. Fairbanks works with Eskimos of the North Slope as well as interior natives. Southeast Agency in Juneau serves the Tlingit and Haida Tribes and has responsibility for the only reservation in the state—the Annette Island Reserve at Alaska's southern tip.

The Alaska Native Claims Settlement Act is profoundly changing village and native lifestyles by substituting a cash economy for a subsistence economy. The act, which granted more than 40 million acres of land and almost $1 billion to Alaska natives, settled claims for lost aboriginal rights to Alaska lands. Thirteen regional and more than 200 village native corporations were created by the act to receive and administer tribal lands and funds for the eligible Alaska natives who are corporation shareholders.

Needs and Programs Changed

Bureau of Indian Affairs programs have been altered to better serve the changing needs of Alaska natives. Social services, education and employment assistance were once the BIA's primary concerns. In the forefront today are realty, resource development, rights protection and tribal government. Non-profit native associations, counterparts to the regional profit corporations, provide many Bureau programs under contract.

Tribal government development and technical assistance and training under Public Law 93-638 are helping Alaska native people solve recurring problems. At times, the Area Office still has difficulty determining whether the group eligible for assistance is the traditional council, the Indian Reorganization Act council, the city government, the profit-making corporation, the non-profit village corporation, the council of elders or some other native organization.

In 1980, assistance was given natives pursuing allotment claims and to villages seeking townsite claims. Trust management of restricted and trust lands also was provided. In the process, agency realty employees and contractors under Public Law 93-638 were often asked to provide technical aid and advice to villages.

Just getting around in Alaska can take all day. The road branch of the Juneau Area Office has filled the gap between state programs and village needs in the years since 1964. All villages are eligible for the roads program. Many roads have been built on the Annette Island Reserve and more than a dozen other areas. Four projects were funded in 1980 and 14 projects are on the drawing boards.

The Juneau Area joined with the Economic Development Administration and the state of Alaska to fund the Alaska Native Foundation. These funds are used for management assistance requested by tribal leaders. Specific activities funded through the Foundation include studies of the bowhead whale, evaluations of legislation to restrict native land, and the study of subsistence relationships

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between natives and the Porcupine caribou herd. The Tanana Chiefs Conference prepared the last item for treaty talks with Canada dealing with the management of this migrating resource.

Native Control Of Schools

Villages are taking on new rights and responsibilities in the area of education. Villagers served by two of the remaining 40 Bureau-operated day schools have asked that the schools become village-contracted operations. As the provisions of Public Law 95-561 are carried out, many more of these schools are expected to come under native control. The BIA has helped train native school board members for many years.

The bilingual center at Bethel is in its tenth year operating the nationally-recognized Yu'pik program. A pilot program in reading skill development will begin in eight Alaskan schools next year and a new building at Shaktoolik should open in time for 1981-82 classes.

At Mount Edgecumbe Boarding School, where native students from throughout Alaska receive a comprehensive secondary education, about 25 percent of the student body achieves academic honor standing. Student enrollment for the 1980-81 school year stood at 417. Native students attending college on BIA higher education grants registered a 15 percent dropout rate this year, down dramatically from a high of 40 percent in previous years.

The Aleut communities of St. Paul and St. George Islands developed a plan to use an $8.5 million judgment fund. The money came from the settlement of two separate suits against the federal government. Under the plan, 80 percent of the money would be distributed per capita and the remainder used for community economic development. Each tribe will establish a certified roll of beneficiaries who will share in the fund.

The Alaska Native Enrollment project has compiled the only data base for background information on Alaska natives. Its 130,000 enrollment records are being transferred to the Federal Archives Center in Auburn, Washington.

The BIA's jobs program focused this year on the start-up of the Alaska natural gas pipeline, pushing for Indian preference in hiring and equal employment in all sub-contracting. With the closing of the Anchorage and Seattle field employment assistance offices in October, most manpower services were turned over to agency personnel.

The North Star Line

The Juneau Area has for many years provided life-sustaining support to Alaska coastal villages through various vessels christened the North Star. Fiscal 1980 began with the North Star III enroute from Wainwright to Point Hope on voyage 113. The departure of voyage 114 from Seattle, scheduled for April 1, was delayed ten days by labor problems at Standard Oil Company's facility at Point Wells, Washington. Voyage 115, the second of the season, left Seattle August 10 and departed from North Slope ports just ahead of the winter ice pack.

A major new involvement for the Juneau Area concerns subsistence fishing and hunting on federal lands and the subsistence provisions of state laws passed in 1978. As Alaska has become more developed, the traditional ways in which Alaska natives support themselves are becoming endangered. The BIA is charged with protecting those rights.

BIA realty personnel obtained construction easements from more than 450 different owners in order to replace the natural gas pipeline in Barrow, northernmost community in the U. S. That $5 million project should be completed in the summer of 1981. Title to housing built in Hoonah in 1946 is at last being turned over to native owners. The last of the deeds is expected to be

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delivered before the end of 1980—thus ending a long-term struggle involving hundreds of Alaska native families.

The Area's social services staff is now finding it possible to place Indian children in Indian foster care homes in or near their own community. About $1.5 million in grants for direct child and family services went to people living in rural areas in fiscal 1980. Previously, this type of support was primarily confined to urban centers.

The BIA also participated in an economic development plan for the Kuskokwim Native Association, an aquaculture development analysis for four villages on Kodiak Island, and a financial analysis of the prospects for fish processing and dock renovation at Yakutat. A prefeasibility study was conducted for the Tlingit and Haida Central Council on the development of Juneau Indian village to include a hotel and marina.

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State Funds for Development

The state of Alaska has helped provide funds for a number of economic development activities, including hotel management workshops, subsistence gardening projects in two areas, the development of a tourism handbook for statewide use, an economic development plan for Bering Straits Corporation and St. Lawrence Island, an evaluation of a commercial tourism enterprise and a resource study for villages in southeast Alaska.

The Juneau Area Office was the driving force in establishment of the Alaska Native Tourism Association and now it is helping to develop a native business directory covering the entire state. Still other projects include the development of native cultural facilities, a study of the economic base in various villages and mineral investigations in five locations. BIA personnel also worked closely with Rampert Village Corporation to put together a shareholder manual that will serve as a model for other native corporations.

Forestry Training

Forestry is southeast Alaska's major activity. The Juneau Area held workshops in forestry management and offered training in timber cruising, log transportation, supply contracting, and the development of timber purchaser's bid lists for the Cape Fox Corporation. For Goldbelt, Inc. the area office evaluated Admiralty Island land selections and financed a land use plan for Goldbelt's Echo Cove area, where the corporation is conducting field engineering work in preparation for timber harvest next season.

Work is now well underway on the survey and recording of cemetery and historic sites as called for by the Alaska Native Claims Settlement Act. In 1979, more than 150 sites were surveyed. Work continues on Montague Island and Prince of Wales Island, at Unalakleet and on the Kenai Peninsula. The 1981 agenda includes the NANA Corporation and Calista areas as well as additional work in the Doyon area, Prince William Sound and the Bering Straits. Program completion is set for 1986.

The potential for emerging technologies is of great interest to the area. Energy from the sun is being studied by means of solar collectors at the Bureau offices and housing complex in Bethel. Flat-plate collectors temper ice-cold well water, reducing domestic hot water energy demand. At five villages, wind power is being harnessed and prospected. Preliminary data from two villages suggests significant possibilities for wind energy conversion.

By keeping a firm grasp on traditional ways and beliefs, the Alaska native can stand ready to meet the challenges ahead. One way in which the Juneau Area can lend a hand is in the management of reindeer herds. At present, as in decades past, grazing rights are negotiated with the Bureau of Land Management. After all land has been conveyed under the Alaska Native Claims Settlement Act, reindeer herders will have to negotiate with individual land owners. That will require considerable training and technical assistance for individual natives and native corporations. The Juneau Area Office will do all it can to help.

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Minneapolis Area

The Minneapolis Area Office has jurisdiction over 3,065,000 acres of "Indian Country" scattered over the upper midwest states of Iowa, Michigan, Minnesota, and Wisconsin. Many of the tribal and individual holdings are in the remote northern parts of the forest and lakelands of the Great Lakes States. In treaty times, these lands were considered marginally valuable for commercial exploitation. Today they are very valuable.

The 29 federally recognized tribes in this area trace their bloodlines to Chippewa (Ojibway), Oneida, Winnebago, Stockbridge-Munsee, Menominee, Potawatomi, Ottawa, Sioux, and Sac and Fox Indians. They are moving to develop the wild rice, timber, minerals, fishing and tourist industries their lands and waters can support.

Tribal leadership recognizes that the progress and well-being of their 67,000 members depend upon tribal ability to develop these resources and compete in the modern world. Furthermore, uncertain national economic conditions and high unemployment in the big cities make it even more imperative that tribal citizens find jobs and a decent standard of living on the reservation.

Tribal leaders also realize that the management and technical skills of tribal members must stay at least one step ahead of resource development so the latter will be a tribal effort proceeding at a tribal pace. To accomplish this, the tribes are setting goals for themselves through self-determination.

Modernizing Tribal Governments

Self-government distinguishes Indian people from all other minorities in the U.S. Proposed constitutional revisions are churned out of tribal governments at an ever increasing rate. Tribes are moving to bring their organic law in line with rediscovered pride in cultural values.

New or revised ordinances covering criminal justice, domestic relations, zoning and resource regulation are also under consideration. After a series of court decisions recognizing tribal rights to regulate their own resources, the Minnesota Chippewa Tribe speedily enacted a conservation code.

Courts of Indian Offenses—the Bureau's answer in the late 19th and early 20th centuries to the breakdown in tribal government functions—are being tribally abolished and replaced with tribal courts that apply the new civil and criminal codes. Old tribal courts of limited jurisdiction, like that of the Leech Lake Band of Chippewas, are becoming full-fledged tribal courts with expanded jurisdiction. This means newly granted powers can be exercised under federal legislation such as the Indian Child Welfare Act.

Tribal executive offices like the Minnesota Tribal Executive Committee are being reorganized to streamline tribal law enforcement, the delivery of essential community services and programs, and the management, protection and development of natural resources.

The Bureau has had a hand in all of this activity by calling and conducting elections to revise the constitutions and approving the results, reviewing and approving ordinances, and providing technical assistance and training to tribal personnel.

Debilitating Power Struggles

Mediating intra-tribal disputes so the flow of services to tribal members can proceed smoothly is one of the most difficult jobs in the Bureau. On the average of once a month, two opposing tribal factions present Minneapolis Area personnel with a test of arbitration skills. To be successful, this activity must go unnoticed.

The dispute among the Bad River Chippewa Indians of Wisconsin in 1979 is an example of a successful effort. The disputants accepted a Bureau recommendation to seek outside Indian arbitrators and thus were able to restore tribal harmony.

Red Lake illustrates the other side of the coin. On the Red Lake Chippewa Reservation in Minnesota, burned-out

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buildings serve as a grim warning that continuing struggle for political control of the tribe could kindle a repeat of the open confrontation of 1979. Mediating that dispute and rebuilding the shattered reservation took an inordinate amount of money and effort and dominated the concerns of Minneapolis BIA officials in 1980.

Agency Superintendent Gordon Cannon reports that "the two factions are still worlds apart." Restoring the sense of community so vital to self-government and self-determination will be a difficult and lengthy undertaking. Because little of the Bureau's program operation had been contracted to the tribe, members continue to receive essential governmental services—but they are less effective than they were before the hostility occurred. The ineffectiveness is due in part to the political instability that continues. But it is also proof that federal programs work better when the tribal government is actively involved.

Marshaling Tribal Resources

The tribes in this area are proprietors and governors of many kinds of potentially valuable natural resources. Protecting, managing, developing, and recovering these resources demanded a joint effort by tribal and Bureau staff this year.

There are more than one million acres of forested land in the four-state area served by the Minneapolis BIA office. This timber is an important source of tribal and individual income and supports small but thriving industries. Last year, tribes sold almost 73 million board feet of timber worth more than $1 million and the energy crunch has made this resource increasingly valuable. Tribes are going into the firewood business and studying the use of wood residue to fire electricity-producing boilers to meet their own energy needs.

In 1980, construction began on two $30 million wafer board plants near the Minnesota Chippewa and Red Lake Reservations. The plants are a new market for timber resources and a job market for tribal members in the vicinity. More intensive care involving thinning and planting would increase production, but that takes capable foresters, which are in short supply. Drought conditions in northern Minnesota resulted in several devastating fires in 1980. Area and tribal officials are working hard to secure better firefighting equipment and train personnel.

The Lac Courte Oreilles and Menominee Tribes of Wisconsin are negotiating for two large ethanol plants with five-million-gallon production capacities on or near their reservations. By-products from cheese factories near the Lac Courte Oreilles Reservation will be used as the raw material to produce the ethanol, a prime ingredient of "gasohol." At Menominee, timber residues and corn will provide the grist for the still.

Indian Trainees on the High Steel

Where once the Mohawk dominated the high steel, now Chippewa, Ottawa, Sioux, and Navajo Indians are proving their mettle through the National Ironworkers Training Program for American Indians funded by the Bureau of Indian Affairs Minneapolis Area Office.

Staunchly supported by union officials, the Chicago-based program opens the door to lucrative $8 to $12 per hour paychecks for the novice Indian ironworkers who complete the training. To date, 740 Indians representing more than 60 tribes have participated in the program. After 14 weeks of classroom training—where trainees are schooled in reading blueprints, welding, and basic math—the Indians are placed with union locals around the country to begin work.

The training is intentionally rigorous and reflects the attitude of its tough-talking director, Francis ("Fran") Shea. Says Shea, "I run it strict and have been called 'The Warden' by many of the guys in the program."

Nonetheless, the Indian trainees look upon Shea with admiration and are quick to seek his guidance. One trainee, who had just been soundly chastized by Shea for "terminating himself" from the program by walking off the job, commented, "He's my dad. He'll take you aside and tell you like it is."

Shea's school boasts a 66 percent completion and a 99 percent job placement rate. But keeping a lonesome Minnesota Chippewa on the job in New Orleans for the two years it takes to get a union card calls upon Shea's extra reserves of patience and ingenuity.

He calls the local union apprentice director and, with a spiel composed of one part truth, one part intimidation, and one part of the sweetest Irish blarney this side of County Cork, he convinces the man that the job foreman was, in fact, the reason why his trainee "bloomed out."

The trainees themselves admit that "drinking is a big problem" when one is all alone in Atlanta. But most of the n want to stay in the program. "I've got four kids," says one trainee. "I need the financial security."

Although the Bureau contracts with the union to provide the training, the program is still considered a regular part of the Bureau's employment assistance adult vocational training. As a result, the trainee receives subsistence pay of about $2,800 for the 14 weeks of classroom training.

"I'm no Great White Father to these guys," says Shea. "They're capable people who can stand on their own two feet. I'm not here to tell them how to run their life. If a man finishes the three-year training program, gets his card, then decides to go back to the reservation and fish, he may or may not be a failure to himself, but he is a success to me."

In 1975, the tenth largest deposit of zinc and copper in North America was found in Crandon, Wisconsin, by Exxon Corporation, right next door to the 1700-acre home of the Mole Lake Tribe of Chippewas. The mile-long deposit contains over 60 million tons of the minerals plus traces of lead, silver, and gold. The tribe rejected an offer by Exxon to explore the deposits under their lands preferring, instead, to do it themselves.

Federal funding, including that from the BIA, has been secured and core samples have been taken, but a final assessment of the size and quality of the reservation lode has yet to be made. Even if the exploration "proves out", however, the tribe is in no hurry to move into development. It is carefully weighing the effects on tribal life and the reservation environment. Mining on the small reservation would leave little room for the tribe's 150 members to live; mining operations could dump waste contaminants into Rice Lake, destroying the tribe's major source of wild rice. "The tribe could conceivably dig itself out of a reservation," said natural resources officer Elmer Holm.

Who Fishes Where?

Recovery of a trust asset often begins with a lawsuit, but the problems do not end with a legal victory. A case in point is the *United States v. Michigan* Indian fishing rights decision. Local tribal officials and agency personnel have been trying to cope with the fallout resulting from the case.

On May 7, 1979, Federal District Judge Noel Fox ruled that Michigan tribal members had a right to gill net fish in the Great Lakes and that the tribes, not the state, had the right to regulate that right. The state appealed the decision. However, tribal leadership is waging an active campaign to reach agreement with the state on fish management and avoid further litigation.

Backlash from the court victory over Michigan environmentalists and sport and commercial fishing interests could develop into a dangerous and explosive situation. The tribe and the Bureau quickly moved to put tribal-departmental fishing regulations in place. Hearings were held on Indian off-reservation fishing regulations on February 22, 1980, and nearly 200 individuals testified, including several U.S. senators and congressmen and the Governor of Michigan.

Next, the tribes, agency and area had to recruit four federal conservation officers, establish a conservation court system, a fishery, and hire fishery specialists. The tribe and the United States pledged to the people of Michigan that they will join in the efforts to restore the greatly depleted Great Lakes fish stocks. Lastly, the tribes and agency are faced with determining which Indians have the right to exercise the tribal fishing right.

"Indian Country"

The area and agencies worked in close partnership with the Departmental Field Solicitor's office to identify, document, and submit to the Justice Department—complete with draft complaints and legal analyses—250 requests for litigation to recover more than 14,000 acres of trust or restricted Indian lands and seek damages in excess of $17 million. Consistent with a congressional mandate to consider legislative solutions to some types of cases, the Solicitor's office also drafted numerous legislative proposals.

Looking For The Good Life

Improvement in the quality of life of Indian people is the ultimate goal of all Bureau and tribal government efforts. Tribes in the upper midwest are in the forefront of tribal efforts nationwide to obtain better housing for their members. Major credit should be given to tribal government and their subsidiary housing authorities for the many new homes on the reservations. Tribal coordination of federal and state funding agencies has been the key to this success.

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The state of Minnesota made available $13 million in excess sales tax revenue for housing improvement. Other participating agencies include the Department of Housing and Urban Development, Farmers Home Administration and the Veterans Administration. The best of tribal diplomacy and self-determination are constantly called upon to keep all these entities coordinated.

Parental stress from overwork, health problems, accidents, chemical dependency or other emotional problems has long caused troubled situations for Indian families. Under an innovative new program in the Minneapolis Area, funded through the Indian Child Welfare Act, parents under stress will have a place to leave their children for a brief period while they rest or work out their problems.

These "respite houses" are not free babysitting services; use of them will be carefully controlled by tribal organizations managing them. Area, agency, and tribal officials expect a greatly decreased incidence of child abuse resulting from this new service and the mandatory parental counseling that goes with it. Three Sioux communities in Minnesota—Lower Sioux, Shakopee, and Prairie Island—have received $48,000 to start up the program.

Tribes Tackle New Responsibilities

Under the Indian Self-Determination Act, tribally-contracted programs now equal almost 65 percent of the total Minneapolis Area budget. The figures tell the story: 40 contracts and grants at Michigan Agency, 59 contracts at the Minnesota Chippewa Agency, 86 percent of the higher education program and employment assistance programs contracted, and 65 percent of the social services under contract. In 1976, neither the Bureau nor the tribes had any direct role in providing secondary and elementary education; this year the tribes contracted to operate six schools for their children.

Minneapolis Area and agency employees are shifting gears from doing it themselves to providing training and technical assistance to tribes, and tribes are now providing direct service to Indian people. The goal of the Indian Self-Determination Act is within reach.

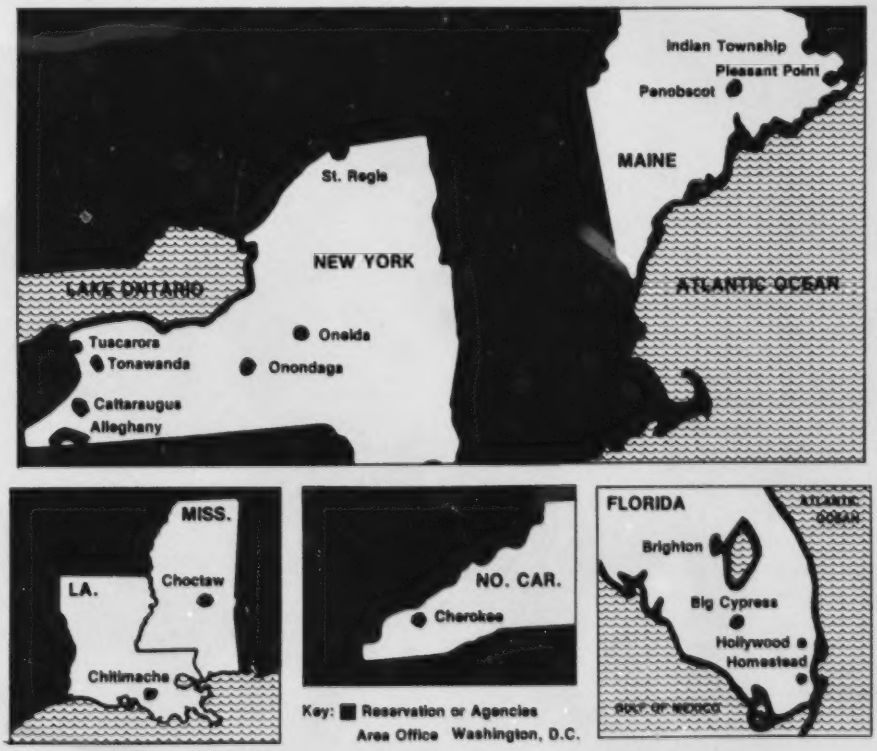
Eastern Area

Known to every American school child is the legendary love story of Pocahontas, the beautiful Indian princess who married the Englishman, John Rolfe. Pocahontas moved with her husband to England, where she had a son and died at a tragically young age. But some of her descendants may still survive in Virginia or elsewhere along the Atlantic seaboard.

The story of Pocahontas somewhat typifies the sad tale of those indigenous peoples along the Eastern coast who "met the boat" when it arrived bearing the European colonialists. As a rule, the eastern Indians befriended the immigrants when they first encountered them, but they were soon victimized by the floodtide that moved so swiftly westward. Caught up in the settlers' wars, infected with the white man's diseases and subject to plundering of land and resources, some of the tribes were totally destroyed, others scattered and still others forcibly moved West.

The once-great Susquehanna Tribe, discussed in James Michener's *Chesapeake*, exists no longer and the famous novel by James Fenimore Cooper, *The Last of the Mohicans*, had its base in the very real disappearance of a Connecticut tribe. Small remnant groups of Indians, like the Abenaki in Vermont, the Piscataway in Maryland, or the Nanticokes in Delaware, can be found throughout the East—most of them not now enjoying the status of federally recognized tribes.

The so-called Five Civilized Tribes were forcibly uprooted from their native lands in the Southeast and marched halfway across the country. This "Trail of Tears", initiated in the Jackson Administration some 150 years ago, brought the Cherokees, Creeks, Choctaws, Chickasaw and Seminole Tribes to Oklahoma. Four groups of



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escapees from the "Trail", who managed to remain in the Southeast, have since attained federal tribal status. These are the Seminoles and Miccosukees of Florida, the Choctaws of Mississippi and the Cherokees of North Carolina.

This historical context, so different from that of the western tribes, still influences Indian affairs in the BIA's Eastern Area, the newest and geographically largest of the Bureau's twelve regional jurisdications. It reaches from Maine to Florida and from the Atlantic to the Mississippi. Established as the Office of Southeastern Agencies in 1972, it included the North Carolina Cherokees, Mississippi Choctaws, Seminoles and Miccosukees of Florida and the Chitimacha Tribe of Louisiana. In 1973, seven New York State Indian tribes and the newly recognized Coushatta Tribe of Louisiana were added to the jurisdiction. In June 1974, the office was designated the Eastern Area Office. In 1975, a federal court decision established a trust relationship with the Passamaquoddy Indians of Maine and, along with the Penobscot Tribe, they later became part of the Eastern Area.

Trendsetting Maine Tribes

The Maine tribes have led the way in the two major developments in the Eastern Area. They successfully won federal recognition and services from the U. S. and will receive an $81.5 million settlement for aboriginal lands taken from them in the early years of the 19th century. There are now at least 38 other eastern Indian groups seeking federal acknowledgement and there are more than a dozen eastern Indian land claims patterned on the Maine scenario.

On October 10, 1980, the President signed the Maine Indian Claims Settlement Act of 1980. In exchange for claims to some 12 million acres of land — about two-thirds of the state — the Indians received a $27 million trust fund and $54.5 million to be used for the purchase of 300,000 acres of Maine timberland. The Eastern Area Office immediately set in motion a task force to implement the Act and, in particular, to complete the purchase of land under option by the tribes before the options expire.

President Jimmy Carter signs the Maine Indian Claims Settlement Act of 1980.

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The tribes' claim to their aboriginal territory was based on a little known, dust-covered law, originally passed in 1790. This law, the Indian Non-Intercourse Act, stipulates that Indian tribal lands may not be conveyed or leased without the consent of Congress. Though this provision has been described by an Interior Solicitor as "a lynchpin of Indian land law" and has been the subject of numerous U. S. Supreme Court decisions in both the 19th and 20th centuries, it was apparently disregarded in Maine and other eastern states in some early conveyances between the tribes and the states.

Other eastern groups claiming lands under the Non-Intercourse Act include the Oneida, Cayuga, St. Regis Mohawk and Shinnecock Tribes of New York; the Wampanoags of Massachusetts; Catawba, South Carolina; Chitimacha and Tunica-Biloxi of Louisiana; Abenaki, Vermont; Western Pequot, Schaghticoke and Mohegan of Connecticut and the Pamunkey of Virginia.

In 1979, the Naragansett Tribe of Rhode Island settled their claim to 3,200 acres in the Charlestown area by accepting 900 acres from the state and $3.5 million from the federal government to purchase another 900 acres. This settlement did not establish a precedent. In March 1980, the U. S. Congress rejected a proposed negotiated settlement of the Cayugas' claim to 64,000 acres in upper New York. The settlement would have given the tribe about 3,600 acres of federal forest lands, an 1,800-acre state park and an $8 million trust fund. Legislation to settle the Catawbas' claim to 140,000 acres around Rock Hill, South Carolina, was introduced but not acted upon. The Oneidas filed suit for 5 million acres in New York.

At the signing of the Maine Act, the President stresssed the desirability of settling these Indian claims "rather than (resorting to) lengthy and extremely costly litigation." He said that the uncertainties of thousands of clouded land titles created an "intolerable situation." The possibility of severe economic problems and consequent bad will in the areas of these claims makes it imperative that the involved parties work for the prompt negotiation of just settlements.

The unrecognized Indian groups in the East who got lost in the settler society before there was a Bureau of Indian Affairs and the establishment of a federal reservation system have various reasons for wanting the federal government to formally acknowledge them as Indian tribes. For the Passamaquoddy and Penobscot Tribes in Maine, it meant that the federal government as trustee for their property would become involved in their land claim. For most of the groups, federal recognition would mean eligibility for Bureau of Indian Affairs and Indian Health Service programs and services. Having property held by the United States as trustee could also bring some financial benfits.

For many of the groups, however, the driving force behind their efforts to be federally acknowledged is cultural. They want to preserve their heritage; they want to be recognized and accepted as Indians. They don't want to be assimilated and have their culture and their uniqueness lost.

Recognizing "Lost" Tribes

Because of the desire of many Indian groups to be recognized as officially-organized tribes by the federal government, the Bureau in 1978 established a special office known as the Federal Acknowledgement Project (FAP) to develop procedures and regulations and to provide needed research, expertise and assistance. Petitions for federal recognition have been received from 72 Indian groups, 38 of which are in the jurisdiction of the Eastern Area. (According to one FAP staffer, there are about 260 such unrecognized groups across the country.)

There are seven criteria that the groups must meet, most of which involve genealogy and history. For one thing, they must not be members of any other tribe, including tribes that have been terminated from federal services. "Our operation involves only those groups that have never had Federal benefits and services," a genealogist with FAP explained.

The Eastern Area Office works closely with the Federal Acknowledgement Project in addition to supporting the efforts of its four agencies.

Choctaw workers assemble wiring for General Motors trucks.

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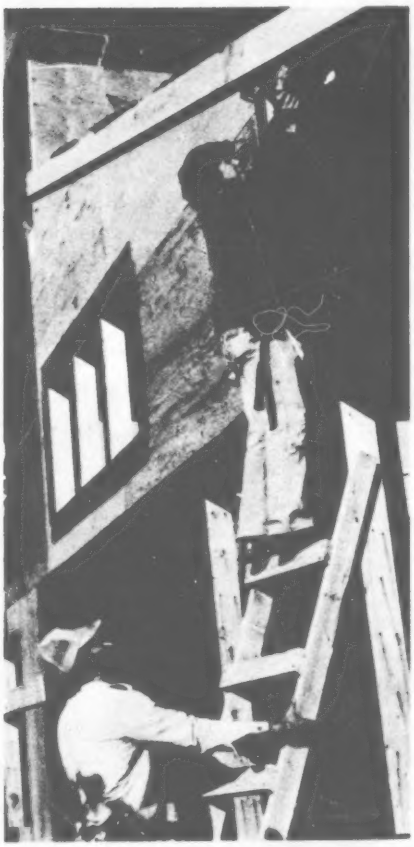
The Florida Tribes

The Miccosukee Agency in southern Florida, like the Zuni Agency in New Mexico, is rare in the BIA because it runs its own affairs. The BIA is not directly involved at Miccosukee. Agency employees work for the tribe and funding is contracted with BIA. Miccosukee has six contracts with the Bureau covering community services, education, law enforcement, home improvement, court operations and Title I education programs.

Miccosukee is not located on a reservation as such but is on about 333 acres of land held by Everglades National Park. The agency has been selected by the Office of Management and Budget (OMB) to take part in a pilot project—the Federal Assistance Management System—through which Miccosukee will become the lead agency in the Bureau in managing all federal dollars in fiscal '81 through a single letter of credit with the BIA. OMB's aim is to reduce the amount of paperwork involved in accounting and financial reporting. Cy Maus, a tribal manager, is proud of this recognition of the "clean management" that has marked the Miccosukee Agency since it began contracting directly for federal dollars in 1971. He is also proud of the commercial development that is taking place. In 1980, for the first time, the tribe's retail enterprises showed a profit. These tourist-related enterprises include a restaurant, service station, general store, arts and crafts shop and a cultural center.

The Seminoles, the other Florida tribe, have brought a bit of Las Vegas to their reservation. According to the Orlando Sentinel Star, the tribe's high-stakes bingo game brings in weekly earnings that frequently top $100,000. A chain of smokeshops along U.S. 441 continues to make money for the tribe. Tribal members benefit from the Seminole cattle improvement program which enables them to raise high quality cattle and sell them at top-dollar prices. The tribe is also experimenting with catfish farming.



Choctaw And Cherokee

Education, from early childhood to adult, is a primary focus of the Mississippi Choctaws. The Choctaw Agency is spending $80,000 to rebuild a kindergarten classroom at the Conehatta School 35 miles from agency headquarters in Philadelphia, Mississippi. The kindergarten was destroyed by fire in March 1980. Plans are also being made to rebuild Choctaw Central Elementary School which burned in 1977. The cost for this project is estimated at $700,000.

A wire harness factory at the Pearl River Indian community, which went into operation in May, was hurt by the decline of the U. S. auto industry. The factory, a division of Packard Electric, assembles wiring for the paneling of General Motors pickup trucks. The tribe is preparing to break ground in its new industrial park for a 120,000 square-foot facility for American Greeting Card Company. That plant is expected to employ about 80 persons.

Courts and a constitution have preoccupied the North Carolina Cherokees in recent years. In 1978, the North Carolina supreme court ruled that state courts had no jurisdiction to try Indians on misdemeanor charges for offenses committed on the reservation. The Bureau subsequently authorized establishment of a Court of Federal Regulations on the reservation. The agency now has two tribal judges who have held court since the early fall of 1980. Also in 1980, the tribal council drafted a constitution that was to be put to a vote in early 1981.

"Dam the TVA and save the little 'T'" was the battle cry of many Cherokees who opposed the construction of the Tellico Dam on the Little tennessee River. As a Cherokee homeland from 1730 to 1836, the river valley is thought to contain many archaeological treasures. Among the Cherokee villages of the time were Tanasi, which is said to be the source of the name Tennessee, and Chota ("Beloved Town"), a capital of the Cherokee nation. Congress overruled the objections of the Cherokee as well as those of environmentalists eager to preserve an endangered species of fish known as the snail darter. In 1979, the valley was flooded.

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Bureau of Indian Affairs
Fiscal Year 1980 Budget
(In Thousand Dollars)

School Operations	187,031
Johnson O'Malley Educational Assistance	29,388
Continuing Education	55,343
Education	**271,762**
Tribal Government Services	22,460
Social Services	87,401
Law Enforcement	27,709
Housing	19,416
Self-Determination Services	45,204
Indian Services	**202,190**
Business Enterprise Development	8,713
Employment Development	51,737
Road Maintenance	17,803
Economic Development and Employment Programs	**78,253**
Forestry and Agriculture	61,832
Minerals, Mining, Irrigation and Power	12,790
Natural Resources Development	**74,622**
Indian Rights Protection	25,940
Real Estate and Financial Trust Service	25,107
Trust Responsibilities	**51,047**
Management and Administration	49,434
Program Support Services	4,074
Facilities Management	77,513
General Management and Facilities Operations	**131,021**
Operation of Indian Programs	**808,895**
Irrigation Systems	43,449
Building and Utilities	44,725
Land Acquisition	5,117
Construction	**93,291**
Road Construction	**66,479**
Alaska Native Claims (Appropriated)	**30,000**
Eastern Indians Land Claims	**8,000**
Northwest Indian Fisheries	**—0—**
Total Federal Funding	**1,006,665**

Commissioners of Indian Affairs
1824 - 1980

Thomas L. McKenney	1824–30
Samuel S. Hamilton	1830–31
Elbert Herring	1831–36
Carey Allen Harris	1836–38
Thomas Hartley Crawford	1838–45
William Medill	1845–49
Orlando Brown	1849–50
Luke Lea	1850–53
George W. Manypenny	1853–57
James W. Denver	1857
Charles E. Mix	1858
James W. Denver	1858–59
Alfred Burton Greenwood	1859–61
William P. Dole	1861–65
Dennis Nelson Cooley	1865–66
Lewis Vital Bogy	1866–67
Nathaniel Green Taylor	1867–69
Ely Samuel Parker (Seneca)	1869–71
Francis A. Walker	1871–73
Edward Parmelee Smith	1873–75
John Q. Smith	1875–77
Ezra A. Hayt	1877–80
Roland E. Trowbridge	1880–81
Hiram Price	1881–85
John D. C. Atkins	1885–88
John H. Oberly	1888–89
Thomas Jefferson Morgan	1889–93
Daniel M. Browning	1893–97
William A. Jones	1897–1904
Francis Ellington Leupp	1905–09
Robert Grosvenor Valentine	1909–12
Cato Sells	1913–21
Charles Henry Burke	1921–29
Charles James Rhoads	1929–33
John Collier	1933–45
William A. Brophy	1945–48
John Ralph Nichols	1949–50
Dillon Seymour Myer	1950–53
Glenn L. Emmons	1953–61
Philleo Nash	1961–66
Robert L. Bennett (Oneida)	1966–69
Louis Rook Bruce (Mohawk/Oglala Sioux)	1969–73
Morris Thompson (Athabascan)	1973–76
Benjamin Reifel (Sioux)	1976–77
William E. Hallett (Chippewa)	1979–

Department of the Interior
Lands Under Jurisdiction of the
Bureau of Indian Affairs
As of September 30,1979

Acreage Recapitulation By State	Tribal	Individually Owned	Total Trust
Alaska	86,741.00	299,400.15	386,141.15
Arizona	19,554,390.64	252,971.54	19,807,362.18
California	500,036.31	73,013.63	573,049.94
Colorado	752,016.78	3,878.44	755,895.22
Florida	79,014.06	—	79,014.06
Idaho	459,756.05	334,475.33	794,231.38
Iowa	4,164.25	—	4,164.25
Kansas	5,503.84	22,521.58	28,025.42
Louisiana	374.48	—	374.48
Michigan	12,039.10	9,247.19	21,286.29
Minnesota	712,125.45	50,750.30	762,875.75
Mississippi	17,477.53	18.50	17,496.03
Missouri	—	374.53	374.53
Montana	2,170,265.20	3,051,321.16	5,221,586.36
Nebraska	22,274.84	42,531.42	64,806.26
Nevada	1,067,673.82	78,388.02	1,146,061.84
New Mexico	6,462,825.68	677,845.24	7,140,670.92
North Carolina	56,460.64	—	56,460.64
North Dakota	200,683.20	650,480.79	851,163.99
Oklahoma	85,566.22	1,145,871.16	1,231,437.38
Oregon	615,691.64	141,292.82	756,984.46
South Dakota	2,572,817.29	2,516,505.42	5,089,322.71
Utah	2,249,068.39	34,525.18	2,283,593.57
Washington	1,996,017.75	497,218.80	2,493,236.55
Wisconsin	328,437.15	80,886.32	409,323.77
Wyoming	1,791,808.21	94,927.45	1,886,735.66
TOTAL	41,803,229.82	10,058,444.97	51,861,674.79

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Choctaw Community News, Philadelphia, Miss., p. 67; Don Erb, Santa Fe Railway, p. 13; Dick Farris, Portland, Oregon, p. 14; Craig Feller, Deweyville, Utah, pp. 56, 57; George C. Hight, Gallup, N.M., p. 49 (lumber); Ron Holt, Billings, Montana, p. 18.

Norman Mead, Mesa, Ariz., p. 30 (worker); Don Morrow, Brigham City, Utah, pp. 20, 27, 39, 48, 58; A. L. Roland, Crownpoint, N.M., pp. 47, 49 (horseback); Richard Saunders, Phoenix Indian School, p. 25; Ben Shaine, National Park Service, p. 2.

William M. Tatom, Papago, Ariz., pp. 15, 30, 31, 41; Dennis Wickliffe, Anadarko, Oklahoma, pp. 16, 19, 51; Wabanaki Alliance, Orono, Maine, pp. 8, 66, 68; M. W. Williams, National Park Service, pp. 10, 59.

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Inside front cover (clockwise from upper left): Norman Mead, 1; Craig Feller, 2; Hardin Photo, Hardin, Montana, 3; A. L. Roland, 4.

Back cover (clockwise from upper left): Don Morrow, 1, 6; Craig Feller, 2, 5; Dennis Wickliffe, 3; Melba Benson, 4.

Inside back cover (clockwise from upper left): Nick Allen, 1; Don Morrow, 2, 3; Melba Benson, 4; Craig Feller, 5.

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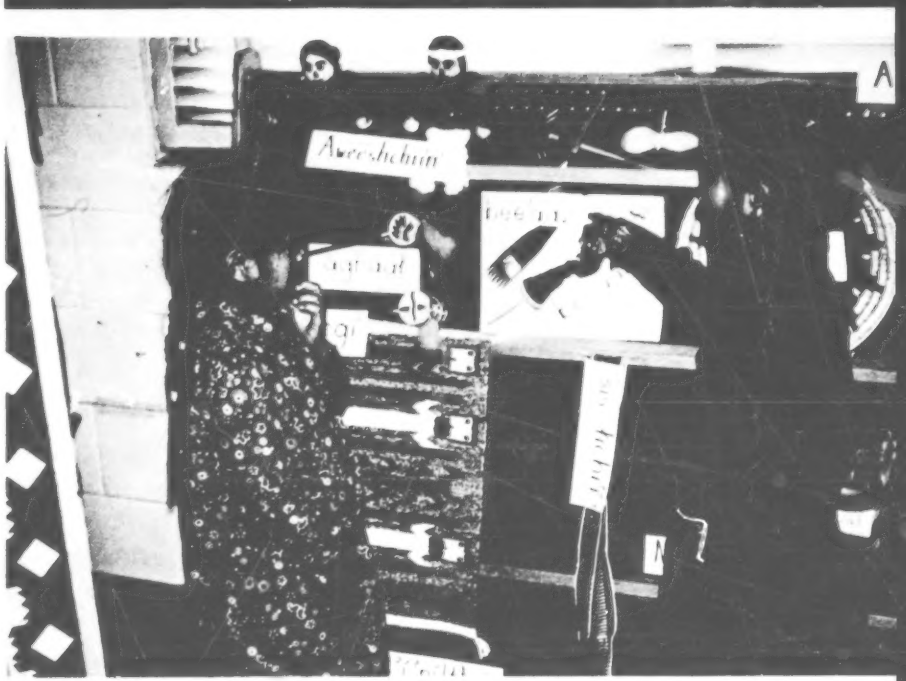
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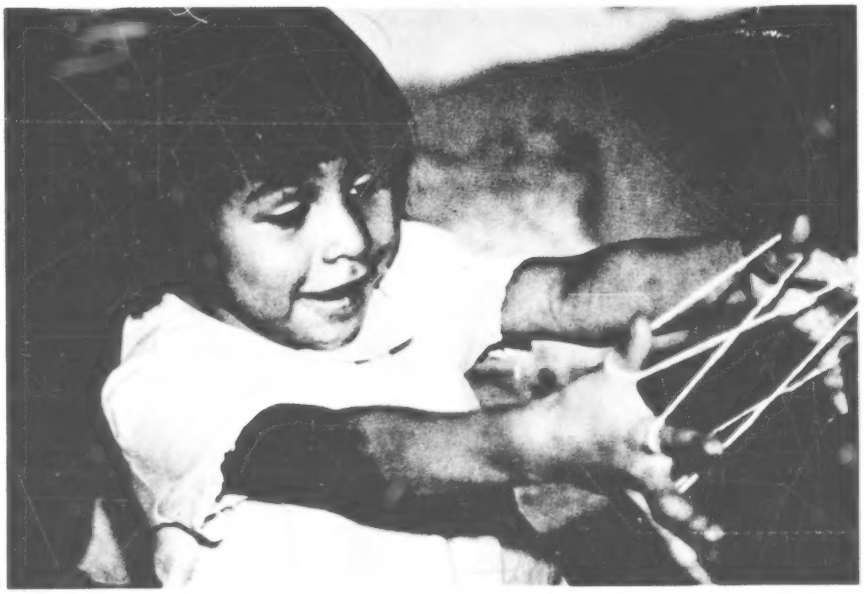
AMERICAN
Indians